

The

American Historical Review

THE MEETING OF THE AMERICAN HISTORICAL
ASSOCIATION AT NEW YORK

THE American Historical Association, whose history was recounted in our last October number, was founded in September, 1884, the American Economic Association in September, 1885. At Christmas, 1909, the one society would count a few months more than twenty-five years of prosperous existence, the other some months less. It was accordingly arranged that a joint anniversary celebration should take place in New York in the closing days of December, the usual time of the annual meetings. This gave beforehand an unusual character to the preparations. It was determined, by joint resolution, to be festive. The resolve to celebrate was well warranted by the abundant and intelligent work which the two societies have in twenty-five years accomplished, and by the significance of that work for the development of their respective sciences in recent times. In ordinary meetings they devote themselves with quite sufficient seriousness to grave historical problems, to currency and the trusts, "And what the Swede intend, and what the French". We have it on the highest Puritan authority that

For other things mild Heav'n a time ordains,
And disapproves that care, though wise in show,
That with superfluous burden loads the day,
And when God sends a cheerful hour, refrains.

Cheerful hours the committee of arrangements provided in abundance, and if at times the tickets of admission to them seemed relatively less abundant, it was because the attractions proved so much more potent in drawing members to New York than the modesty of a New York committee could permit them to anticipate. Where 330 had been the highest number of members in attendance at any previous meeting, no fewer than 565 were registered on the

present occasion. With the added hosts of the American Economic Association, the American Political Science Association, the American Social Science Association, the American Sociological Society, the American Statistical Association, the American Association for Labor Legislation, the American Society of Church History, and the Bibliographical Society of America, it made a formidable body, the entertaining of which must have taxed heavily the resources, and especially the organizing ability, of the New York members. Hospitality was however shown in extraordinary measure. There were luncheons, for some or all of the associations, provided by Columbia University, Teachers College, the Metropolitan Life Insurance Company, the Merchants' Association, and the Chamber of Commerce, receptions offered by the Academy of Political Science, Mrs. Clarence W. Bowen, and Mr. and Mrs. William K. Vanderbilt, and a "smoker" by the City Club of New York. At noon of the middle day there was a special breakfast at the Hotel Waldorf-Astoria (which had been made the headquarters of the associations), at which brief speeches were made, congratulatory or commemorative of the work of the two elder societies. Special honors were paid on this occasion to the distinguished foreign guests whose presence the committee of arrangements had brought about. For the Historical Association, these were Professors George W. Prothero of London, Eduard Meyer of Berlin, Camille Enlart of Paris, and Rafael Altamira of Oviedo, Mr. H. A. L. Fisher of Oxford, and Dr. H. T. Colenbrander of the Hague. On the evening of the same day, the Ladies' Reception Committee provided a brilliant reception and entertainment in the hotel, with an exhibition of the work of the City History Clubs and a series of pleasing historical tableaux arranged by Mr. John W. Alexander. Finally, on the afternoon after the conclusion of formal exercises, there was an excursion by special train to West Point, where such members as made the journey enjoyed the hospitality of the Commandant and Mrs. Scott, and of other officers and ladies of the post.

All this made a formidable sum total of social events. Doubtless it was too formidable for ordinary physiques. Doubtless the more austere of the members of the historical profession would wish that in its annual meetings, in ordinary years, there should be less effort to mingle mundane attractions with its serious deliberations. But even these "budge doctors of the Stoic fur" appreciated that this occasion was special; that a meeting which was held in such a city as New York and at such a time as a twenty-fifth anniversary must needs be marked by special traits, and by special endeavors to bring home to the minds of the "world's

people" the meaning and value of twenty-five years' progress in history and political economy and of great national organizations for promoting that progress. If this required festivity, they could nerve themselves to be festive,

An' kerry a hollerday, ef we set out,
Ez stiddily ez though 't wuz a redoubt.

A drawback which always attends scientific meetings in large cities is the need of holding sessions in various places, widely separated in space. In the present instance, though the Hotel Waldorf-Astoria was the official headquarters, most of the meetings were held at Columbia University, one at the new building of the New York Historical Society, and one, the opening meeting, in Carnegie Hall. Another source of mental confusion was the inevitable multiplicity of the programme—nine societies, with subdivisions in some cases, continuing through more or less of five days, Monday noon to Friday noon, December 27 to 31, 1909. But this difficulty is always present, now that the Historical Association customarily meets with two or more of its allied organizations; and it is balanced by the advantage which one who masters the complexities of the programme, instead of permitting himself to be mastered by them, can derive from exercises in fields adjoining his own. Since each of these societies has its own means of public report,¹ the present article cannot undertake to deal with any but the historical programme. With this it deals perforce in somewhat annalistic fashion. When a meeting consists principally of simultaneous sessions of especial sections, that one-sixth of the membership which attended the meeting, as well as the five-sixths who were absent, may find use for a chronicle of what was brought forward in each subdivision or on each occasion. Before passing from general considerations, however, mention should be made of the interesting and valuable exhibition of aids to the visualization of history—objects and models, pictures and maps—prepared by Professors Henry Johnson and James T. Shotwell, and shown at Teachers College, and of the remarkable exhibit of historical manuscripts and rare printed books, from the collections of Columbia University, Mr. J. Pierpont Morgan, and others, which had been gathered together for the occasion by the university librarian, Mr. W. Dawson Johnston. The former of these two exhibitions is instructively described in the February number of the *History Teacher's Magazine*. It should also be recorded, with every expression of gratitude,

¹ The best general summary of the whole group of meetings may be found in *The Survey* for January 15, 1910.

that Professor William M. Sloane and Dr. Clarence W. Bowen, Professors Edwin R. A. Seligman and Samuel McCune Lindsay, constituted the Joint Anniversary Committee, and that Professor James T. Shotwell was the chairman of the Committee on Programme.

At the opening session ("Citizens' Meeting and Official Welcome" to the two celebrating societies), presided over by Mr. Joseph H. Choate, it had been arranged that the President of the United States, the governor of New York, the mayor of the city, and the president of Columbia University should speak, but a heavy storm prevented President Taft from coming. If much of what was said was marked by hardly more than postprandial felicity, Governor Hughes struck a higher note in his remarks on the value of historical and economic studies to the practical administrator and to the general public life.

Next morning's session at Columbia University was devoted to two presidential addresses, that of Professor Albert Bushnell Hart as president of the American Historical Association and that of Professor Davis R. Dewey as president of the American Economic Association. The former, on Imagination in History, was printed in the last issue of this journal. The latter was on Observation in Economics, a clear and thoughtful paper, containing much that it was profitable for historians to ponder.²

The session of Tuesday evening, at the building of the New York Historical Society, was appropriately devoted to addresses on the work of historical societies in Europe, each of the foreign guests speaking of their work in his own particular country—Professor Prothero of those of England, Professor Meyer of those of Germany, Professor Enlart of the French, Dr. Colenbrander of the Dutch, Professor Altamira of the Spanish. Their papers dwelt too much upon details and lists of individual societies to make it possible to summarize them here. The most instructive impression that disengaged itself from the mass was that of the wide variety of ways in which the work of historical societies, and historical work in general, stands related in different European countries to the respective governments. When the full reports are published, in the *Annual Report*, those who are interested in the growing problem of the relations of the state to history in America will find in them many useful suggestions. Four of the addresses of these distinguished foreign associates were given in excellent English, the fifth in French.

² Printed in the *American Economic Association Quarterly*, vol. XI., no. 1, April, 1910.

On Wednesday morning occurred a joint session of the historical body and the American Political Science Association. By general agreement, it was one of the most interesting sessions which either society had ever had. The day (December 29) being the one-hundredth anniversary of the birth of Gladstone, the general topic chosen was British Constitutional and Political Development in the nineteenth century, with especial reference to that anniversary. An excellent introduction was furnished by Professor A. L. P. Dennis's comprehensive paper on Tendencies in British Foreign Policy since Disraeli, in which he surveyed the advances which thirty years have marked in the solution of the three regional problems most troublesome to the British government in 1880, those of Egypt, South Africa, and Afghanistan, and in the general progress of Anglo-French, Anglo-Russian, and Anglo-German relations. Professor George M. Wrong of Toronto followed with a brilliant and most able paper on Canadian Nationalism and the Imperial Tie.³ Defining his conception of the future of the British empire as the evolution of a league of free states acting together for their common interests, he showed by a wide variety of observations that Canada, preferring to remain as it is because natural growth is better than revolution, is now practically a free state preserving the whole range of British traditions. Mr. Edward Porritt's paper on the Paradoxes of Gladstone's Popularity was, he said, written from the standpoint of a former Parliamentary reporter. He dwelt first upon the aloofness which marked Gladstone's relations with the rank and file of his party, and explained why it existed and why it was not more prejudicial to his hold upon the Liberals and the country. The second paradox he set forth was that of the steady support of Gladstone by the Nonconformist electors, in spite of his imperfect sympathy with struggles for religious freedom and equality. He showed especially the part which that defect of sympathy had played in shaping the Education Act of 1870, retarding injuriously the achieving of a settlement satisfactory to the free churches.

Next, Mr. Herbert Fisher of New College, Oxford, who had been in South Africa when its new constitution was in process of formation, spoke of the Political Union of South Africa. He described the difficulties of federation, growing out of recent war, differences of language, previous separateness in government, and the presence and mutual relations of a white minority and a greatly superior number of black men. He described interestingly the pro-

³ The full text, both of Professor Dennis's paper and of Professor Wrong's, is to be printed in the *Proceedings* of the American Political Science Association, volume VI.

cesses by which the three chief compromises of the constitution of the Union had been brought about: that relating to the dual seat of government, Cape Town and Pretoria, that relating to the suffrage for members of the native races, and that relating to the use of two official languages. The British ambassador, Mr. James Bryce, spoke of Gladstone's relations to modern English constitutional development, showing how his efforts to extend the electoral franchise were grounded in trust of the people and in the belief that power would bring with it a sense of responsibility, and explaining that, though reluctant to draw tighter the political bonds of union between Great Britain and her colonies, he was always fully alive to the greatness and value of Britain's colonial empire.

The last whole day of the meeting (Thursday) had, it must be confessed, too full a programme. Four sectional meetings, or historical conferences, took place in the morning, devoted respectively to Ancient History, Medieval History, American History, and Archives; four in the afternoon, devoted respectively to Modern European History, American History, the work of State and Local Historical Societies, and that of History and Civics Clubs; while the annual business meeting was also scheduled for the afternoon, and a general session on Southern History occupied the evening. Of the nine sessions for paper-reading no single human being could, it is true, attend more than three; but it is better that one should have no chance to attend more than two in any one day.

The Ancient History section opened with a study of Western Asia in the Days of Sennacherib of Assyria, by Dr. A. T. Olmstead of the University of Missouri, a continuation of his book on Sargon after the same method, that of the *Jahrbücher des Deutschen Reiches*. The sources—Assyrian royal inscriptions, letters from the archives, business documents, the Babylonian Chronicle, and the Biblical records—were discussed with respect to their trustworthiness. This discussion was followed by a close study of the political history of the reign, the importance of which indeed is more exclusively political than that of most reigns in Assyrian history. The leading place was given to the wars relating to Babylon. Next followed a paper by Professor W. S. Ferguson of Harvard on Athens and Hellenism, which we hope to be able later to present to our readers. In the first part of the essay the attitude of the Hellenistic powers toward Athens was sketched; in the second, the reaction of Athens to the innovations of Hellenism in politics, government, and social and religious life. A third paper, by Professor Nathaniel Schmidt of Cornell, related to the Hellenistic Influence on the Origin of Christianity.

The conference had the great advantage of the presence of Professor Eduard Meyer of Berlin, who made some remarks on the Papyri of the Jewish Colony at Elephantine. A large number of these papyri still exist, mostly written in Aramaic and dating from the fifth century B. C. An important class is that of applications for personal safety. Some of them contain illustrations of a pre-Deuteronomic form of Jewish cult. An especially interesting document is the Story of the Wise Ahikar, a sort of Persian chronicle-romance, with Assyrian kings as conventional heroes. The book was read by the Jews from the fifth century; traces of its influence may be seen in the Hebrew and Hellenistic writings, in the latter case especially in the form of legends of Democritus.

The conference on Medieval History was held as a joint session with the American Society of Church History. In its first paper, Professor E. B. Krehbiel, of Leland Stanford University, dealt with the question of the degree to which the great Interdict, laid upon England by Innocent III. in the reign of King John, was observed. The paper, which was based on an examination of chronicles, pipe rolls, close rolls, plea rolls, and other records, showed that while, as the chroniclers unanimously assert, the Interdict was generally observed throughout England, yet the rewards that King John bestowed upon those who violated it, and the punishments that he meted out to those that regarded it, caused a considerable amount of disobedience among the clergy who were mercenary and who were subject to the immediate personal influence of the king. In the second paper, Rev. Edward W. Miller, of Auburn Theological Seminary, after sketching the origin and historical importance of the medieval trade-guilds, dwelt upon the religious character and fraternal spirit of the craft-guilds. These had their patron saints and usually one or more chaplains, and performed various religious or philanthropic acts, undertaking important charities even outside the circles of their members, and participating in the worship and support of the Church. The genuine spirit of brotherhood existing in these guilds, and their attempts to minister to the various moral and religious needs of their members, were contrasted with the temper and aims of the modern trade-union.

Treating of the Roman Law and the German Peasant, in a paper which we hope to print hereafter, Professor Sidney B. Fay of Dartmouth argued that there is no contemporary evidence for the commonly accepted views (1) that the introduction of the Roman Law tended to depress the German peasant of Luther's time into the condition of a Roman slave; (2) that there was a "popular opposition" to the Roman Law; and (3) that the introduction of the

Roman Law was a cause of the Peasants' Revolt of 1525. These ideas, he held, are in the nature of a legend, due partly to a confusion of peasant conditions in East and West Germany, partly to nationalistic prejudice, and partly to unwarranted generalizations.

M. Camille Enlart, professor of the history of architecture in Paris, made a plea for the study in America of the history of European medieval art. He showed how in France medieval art had been rehabilitated by the efforts of M. Viollet le Duc; gave a survey of present instruction in this subject in France, and showed why America should not be behind in this new movement. After sketching the successive stages of European art from the sixth to the sixteenth centuries, he outlined a programme of study suitable for American universities, describing in detail the requisite equipment of books, photographs, and casts.

Professor A. C. Howland, of the University of Pennsylvania, illustrated the special tendencies of the reform movement of the eleventh century in southern Germany—the fostering of an active intellectual life and the inculcation of practical morality—from the life of Othloh, a monk of St. Emmeram in Regensburg, whose writings contain much autobiographical material.

The first of the two conferences on American history was devoted specifically to Western history. Professor F. H. Hodder of Kansas read a paper, entitled Side-Lights on the Second Missouri Compromise, based chiefly on Missouri materials. He showed first that the new Missouri constitution was modelled on that of Kentucky, that there was no evidence that it was the work of David Barton, nor that Benton was justified in claiming to have secured the adoption of the clause respecting slavery. The author accounted for the change of votes in the national House of Representatives which permitted the admission of Missouri, and for the erroneous designation in the act of Congress of the objectionable clause in the state's constitution, and then showed how, in spite of the act, Missouri effected her purpose of excluding free negroes and mulattoes from the state. A paper on the Erie Canal and the Settlement of the West, by Mrs. Lois K. Mathews of Vassar College, was illustrated by maps of settlement in 1820, 1830, and 1840. Although New York and Pennsylvania were affected directly and at once, the greatest changes were wrought in those tracts bordering upon the Great Lakes, namely, northern Ohio, Indiana, and Illinois, southern Michigan and Wisconsin. Not only was the population greatly increased as the result of the new means of westward migration, but its character underwent a great change due to the large influx of New Englanders and New Yorkers. The sys-

tems of local government became more like those of New England, while schools and Congregational churches sprang up at once under the same influences. By figures of prices and rates, the nature and bulk of the traffic over the Erie Canal in its earlier years was also brought out.

Under the title Some Aspects of Postal Extension into the West, Professor J. P. Bretz of Cornell set forth the political services rendered by the Western posts in the early period under the Constitution. The desire to cultivate a better understanding of the measures of the national government and to promote the circulation of useful information concerning the great interests of the Union led Congress to make early provision, at some sacrifice of the interests of revenue, for the extension of postal routes and service west of the Alleghanies. The same motives led to the legislation of 1792 admitting newspapers to the mails on favorable terms, with provision for the free carriage of editorial exchanges. The development of the Western post-routes was followed closely by the development of a Western press. The large increase of Western newspapers from 1800 to 1812 was described, and the political effects of this development in those early years and down to 1830. The last paper, by Professor E. S. Meany of the University of Washington, was on Morton Matthew McCarver (1807-1875), a typical pioneer, founder of Burlington, Iowa, in 1833, of Linnton, Oregon, in 1843, of Sacramento in 1848, and of Tacoma in 1868.

The Conference of Archivists, organized by the Public Archives Commission, should mark an important point in the development of archival science in America. In opening the conference the chairman, Professor H. V. Ames, spoke of the work of the Public Archives Commission during the first decade of its existence, and pointed out the progress in legislation for the better care and administration of the public records, twenty-four states having passed measures of importance. It was hoped, he said, that the present conference would be the first of a series which should afford an opportunity for those having charge of public records to discuss problems of common interest. The first paper on the programme was by Mr. W. G. Leland of the Department of Historical Research in the Carnegie Institution of Washington, who outlined the various problems confronting American archivists. He distinguished between external regulation, mainly determined by legislation, and internal economy, mainly determined by the archivists themselves. As to external regulation, he pointed out that great diversity exists throughout the various states and that it would seem desirable to secure some degree of uniformity. Taking up

the problems connected with internal economy, he spoke of such matters as the collection of archive materials, their arrangement and classification, the nomenclature of series, various systems of indexing, the relationship of the archivist to the investigator and to his fellow-officials, the equipment of archive depositories, etc.

The purpose of the papers and remarks which followed was to point out in what ways American archivists could learn from European experience. Professor C. M. Andrews indicated three principal lessons to be learned from that of the English: the necessity of preserving archive material, the desirability of centralization, and the unfortunate effects of undue interference in the administration of the archives on the part of officials of other departments of the government. Professor C. R. Fish spoke of Italian experience, and the way in which some of the evil effects of decentralization had been overcome by uniform legislation. As to indexing, he thought that the experience of the Vatican showed that one should beware of the wholesale methods of library science, the old-fashioned but thoroughly workable index in the Propaganda being much more useful than the elaborate index of the Vatican. Archive guides are important, especially when the collections are scattered, and more of them are needed for the United States. In Italy the public character of the records of families, churches, religious orders, and other organizations is well understood; in America we need to realize that the governmental archives are not the only bodies of important records. Professor W. I. Hull pointed out the necessity as shown in Dutch experience of arousing general interest in the preservation of public records. He spoke of the good results obtained from co-operation and conference among archivists. The archivists for the most part are specially trained. The national government exercises a general supervision over all records and the accommodations for the housing of the archives are of superior character. The Dutch government has been especially active in carrying on missions in foreign archives. Professor W. R. Shepherd said that the poverty of Spain made it impossible to make adequate provision for the archives, and that the government is indifferent towards records which are not used in actual administration. The archivists, however, although underpaid, are for the most part well trained. Mr. Shepherd spoke of the importance of the American material in Spanish archives and urged the necessity of taking measures to ensure its preservation. Mr. Amandus Johnson spoke of the early organization of the Swedish archives, the provision made for securing to investigators the services of trained copyists, the system of lending documents, the excellent book cata-

logues, and the comfortable accommodations provided for workers. The conference closed with a paper by Mr. V. H. Paltsits, state historian of New York, on Tragedies in New York's Public Records. He reviewed what had been done in New York for the preservation of archives, but spoke especially of what had not been done. He cited case after case of negligence, wanton destruction, fraudulent sale, and the deplorable ignorance of which those in charge of public records had been guilty. The necessity of immediate action for the preservation of and strict general supervision over public records was made clear. In closing he spoke of his efforts as state historian to secure legislation which should ensure the safe-keeping and proper administration of the state and local archives.

Of the afternoon's conferences we take up first that on Modern European History. Professor Ferdinand Schevill's paper on Some Features of the Present Political Situation in Bosnia and Herzegovina aimed at presenting merely the political impressions of a recent traveller. He touched on the merits of the Austrian administration, the prevalence and seriousness of popular discontent, and the difficulties in the way of settlement of the three chief questions: that raised by an antiquated feudal system of land-tenure, with Mohammedan landlords, the question of the Bosnian constitution, promised but not yet published, and the question whether Bosnia shall be incorporated with the Austrian or the Hungarian half of the dual monarchy. Professor G. S. Ford's paper on Bismarck as Historiographer consisted in an instructive survey of the *Gedanken und Erinnerungen* in the light of the German critical dissertations upon them and of the original and contemporary documents by which they may be controlled. The speaker showed from the history and from the dissection of this famous book that there were at least four limitations upon its direct use. Its point of view is political and personal, often polemical, not at all historical. Its arrangement is confused, and bears the impress of its origin in scattered monologues later arranged as best the editors might. It omits many matters of importance. Finally, it is the work of an aged and world-weary statesman little interested in the past and not naturally gifted with the power of taking an objective view of his own development and actions. The working of these limitations was illustrated by consideration of Prussian policy in the Crimean War, of the Hohenzollern candidacy for the throne of Spain, and of the discussions and negotiations preceding the truce of Nikolsburg.

The other two papers in this conference were general or pedagogical in character. Under the title Recent Progress in Modern

European History Professor W. E. Lingelbach showed by comparative statistics the growth in that study, both in undergraduate and in graduate courses, and in Europe as well as in America. The speaker adverted to the peculiar problems arising from the exceptional abundance, even superabundance, of original material for recent periods of history, and to the co-operative means by which this difficulty might be overcome. Dr. C. H. Hayes of Columbia University described a method practised in one of the courses in that institution, a course in the most modern portion of European history, whereby the portions of the current newspapers relating to European affairs are utilized as laboratory material, classified, subjected to criticism, discussed, and made the means of relating the present to the past.

The second conference on American History was devoted to the Ethnic Elements in the History of the United States. Professor Julius Goebel of the University of Illinois, after a brief survey of the earlier literature of German-American history, dwelt upon the failure of American historians to give sufficient weight to the German element in our history. He maintained that the German element to-day constitutes "at least one-third of our population", and that therefore the constant habit of assuming the Anglo-Saxon to have been always the typical American, all others "foreigners", could only lead to a distorted view of our history, and especially of the history of American culture, to which the German contribution had been definite, homogeneous, and constant. A careful study of the cultural status of the various generations of German immigrants, their geographical distribution, and the history of the subsequent development of their civilization, is strictly indispensable to the student of the history of our progress toward a higher national culture. Professor A. B. Faust of Cornell made, as in his recently published book, a more conservative estimate of the present-day population of German blood (27 per cent.), but thought it not greatly less than the English. He properly criticized the unsound method of determining these proportions in the Census volume recently published. He also dwelt upon the failure of historians to recognize duly this element; and upon the services it has rendered in politics and war, and especially in the furtherance of agriculture in America, of education, and of all that makes for the enjoyment of life, especially music.

The next paper, by Mr. Juul Dieserud, of the Library of Congress, was entitled, *The Scandinavians: Ethnic Characteristics; Causes of Emigration*. After giving some estimates of the numbers of the Scandinavian element, and an account of the anthropol-

ogy and archaeology of the three Scandinavian countries, the speaker discussed the economic and social conditions in these countries in their bearing upon the great exodus of the most recent decades. The leading motives were, land-hunger; dissatisfaction with a rigid social classification, which, however, is fast disappearing; the spirit of adventure; and, of less importance, dissatisfaction with religious intolerance, though at no time very pronounced, and with enforced military service; and finally, exaggerated conceptions of the economic and social advantages prevailing in this country. Dr. H. T. Colenbrander began his paper on the Dutch element in the United States by touching on certain of the late Douglas Campbell's theories of the preponderance of Dutch influence in America. He pointed out that these fallacious reasonings had worked their way to the fore in recent popular literature and had a deleterious effect on the true estimate of Holland. While acknowledging the failure of the West India Company's colonization and the limited extent of Dutch settlement here, he showed the peculiar influence of Holland on seventeenth-century civilization at large and her indirect effect on America.

The sixth annual Conference of Historical Societies was well attended. The chairman, Professor St. George L. Sioussat, opened the session with a brief account of the work of the conference since its organization at Chicago in 1904. He urged that future conferences should consider especially the matter of co-operation between societies. The secretary of the conference, Mr. W. G. Leland, presented an analysis of the reports sent in by over fifty societies. These showed a membership of nearly sixteen thousand, with property and funds amounting to nearly four million dollars. The activities of the societies, however, seemed not to be commensurate either in quality or in amount with their wealth and number of members. Mr. Dunbar Rowland, for the Committee on Co-operation, reported that, two thousand dollars having been subscribed, the work of preparing a calendar of the documents in the French archives relating to the history of the Mississippi Valley has been commenced. The subject for discussion at the conference was the publications of historical societies. Professor H. E. Bourne read a carefully prepared paper on What we can learn from the Publishing Activities of European Societies. Considering mainly the eight hundred societies of France and Germany, he pointed out that the Germans appear to manifest a greater spirit of co-operation and a higher sense of discipline, whereas in France there is an unfortunate division of societies into what may be regarded as reactionary and radical groups. He spoke especially of the collec-

tion and publication of documents relating to the economic history of the French Revolution, by a central commission and affiliated departmental commissions. Of the German organizations he mentioned especially the institutes or commissions which select and edit for publication historical documents from state, city, communal, or private archives. Mr. W. C. Ford's paper on Certain Defects in the Publications of American Historical Societies was exceedingly suggestive. He pointed out the lack of discretion, judgment, or knowledge, and the careless editing so often displayed. He deprecated the preponderance of articles of merely family or personal interest, suggesting as a remedy that the central society in each state might exercise some influence over local societies to prevent the duplication of work, to guard against the burial of material of general interest in obscure publications, and to aid if need be in the selection and printing of documents. In the discussion which followed Dr. R. G. Thwaites made a plea for a charitable judgment of the publications of societies which are dependent upon legislative appropriations. Mr. V. H. Paltsits urged that greater attention should be paid to good book-making, and Mr. R. D. W. Connor pointed out how the publication of the *North Carolina Colonial and State Records* had aroused a general interest in historical matters throughout the state and had resulted in the establishment of a permanent state commission.

In the conference on the Work of History and Civics Clubs, Miss M. Elizabeth Crouse described the Aim and Methods of the City History Clubs of New York, Mr. A. L. Pugh, of the New York High School of Commerce, set forth a Practical Programme in Municipal Civics for Clubs, and Mr. H. C. Green, of the College of the City of New York, described the actual work done in Civics Clubs.

The evening's session on Southern History was a general session of the Association. Its theme was special: Reconstruction and Race-Relations since the Civil War. Judge W. H. Thomas of Montgomery spoke of the South's Task: Some of its Difficulties, stating the need of constantly reckoning with conditions fixed by historical development, and of encouraging the negro to make progress along industrial lines. Professor W. A. Dunning of Columbia University, after sketching the course of federal and state legislation on the relations between the two races in the South since the war, declared, as the general opinion, that the time had passed when legislation could have much effect, one way or the other, in solving the race problem. Progress toward its ultimate solution will be brought about rather by social forces already at work, by

the increase of intelligence, and by better administration. Professor W. E. B. Du Bois of Atlanta University next presented a paper on Some Actual Benefits of Reconstruction, which we shall have the pleasure of printing in a later issue. Arguing against the almost accepted doctrine that the negro in politics was the prime cause of the misfortunes of that period, he called attention to the magnitude of the evils normally resulting from so great a war, even if there had been no men of his race in the South; to the possibilities of far greater evil in the courses which were alternative to the processes of reconstruction actually adopted; to current exaggerations of the actual harm of Reconstruction; and to the concrete benefits derived from legislation effected by Reconstruction governments supported by negro suffrage and with a large proportion of negro legislators—legislation which so commended itself to their successors as to have been long maintained in effect. Discoursing on the Negro Problem as affected by Sentiment, Mr. Theodore D. Jersey of Charleston traced in the legal history of South Carolina the efforts of the white race to differentiate between classes of colored men, continuing the story down through the period of Reconstruction. The discussion which followed consisted largely of the conventional and non-historical discourses to which the topic too easily gives rise. Professor U. B. Phillips of New Orleans, however, usefully emphasized the opportunity and the need for careful and discriminating study of many such problems in economic history as that of the relative efficiency of negro labor in slavery and in freedom, together with the need for recognizing on the one hand the wide variety of types of negroes (and indeed also of Southern white men), and on the other hand the norm, and the degree of unity actually present; while Professor F. L. Riley of the University of Mississippi described, as a practical method which he had found of value, the setting of students to making close studies of actual conditions and results, during Reconstruction, in limited localities such as individual counties.

The last sessions, held on the last morning of the year, were two in number. The first was occupied with papers on the Contribution of the Romance Nations to the History of America, so richly deserving of greater attention on the part of American historical students, not only on account of the intrinsic interest and significance of the history of the Latin colonies, but also because of the relations of their rule and their civilization to the history of the United States. Professor Altamira, in a valuable paper on the Contribution of Spain, adverted to the deficiency of our knowledge of the history of Spanish colonization and action in America. In general, we

know it only in its external or superficial aspects. The history of institutions, of law, of economic and social life, of scientific and literary activity, as it has been presented to us, is full of lacunae, doubts, legends, and unanswered questions. This is largely due to the neglect of the rich archives of Spain, especially of the Archives of the Indies at Seville. Professor Altamira suggested the foundation there, by the governments or universities or historical agencies of the countries interested, of historical institutes of research similar to those existing at Rome. Dr. R. G. Thwaites, speaking of the Contribution of France, described the rise and fall of New France as a glowing epic, and set forth the results which French endeavor brought in exploration, in missionary activity, in settlement, in the development of the fur-trade, in ethnological study, and in the influence of the Gallic spirit.

Dr. Hiram Bingham, in speaking of the Contribution of Portugal, drew attention to the striking contrast between the empire of the Portuguese in the East Indies, of wonderful brilliancy but of transient endurance, and the solid and permanent colonization of Brazil, where industrious, frugal, agricultural colonists prospered so soundly that, like the English colonists in North America, they were able, when independence came, to become a single great nation and maintain a strong federation of states. He also dwelt on the excellent opportunities for instructive research which are presented by Brazilian history. The last of the papers in this conference was that of Mr. Francisco J. Yáñez,⁴ of the International Bureau of the American Republics, on the contribution of the Latin-American Republics. Admitting that the new republics commenced their career heavily handicapped by economic conditions due to war, by scarcity of population, and even by over-abundance of Nature's productions, he described summarily the advances made in education, in literature and the fine arts, in the development of means of communication and the other material appliances of civilization, in sanitation, and in political life, with closing references to the Pan-American Conferences and the International Bureau of the American Republics.

In a pedagogical conference which was held at the same time, in joint session with the New York State Teachers' Association, two topics were considered, History in Secondary Schools in France and Germany, and the proposals of the Committee of Five appointed two years ago to consider certain questions arising out of the *Report of the Committee of Seven*. Miss Ellen Scott Davison, of

⁴ Printed in the February number of the *Bulletin of the International Bureau of the American Republics*.

Bradford Academy, presented a report on the Teaching of History in Some German Schools, mainly based on visits to schools in Frankfurt-on-the-Main, Munich, Berlin, and Halle, in the summer of 1909. In all these schools there is a course in history for pupils from about nine to fourteen years of age, beginning with ancient history, ending with modern Germany, centring about Germany, and chiefly biographical. The gymnasia add a second course covering the same period in a more philosophical manner. In the popular schools visited, all material is presented by the teachers. In the gymnasia short lessons are assigned in very brief text-books, and the teachers' lectures furnish details; in general, pupils are not allowed to take notes but are expected to remember what they hear; in the supplementary reading, which is usually recommended, they may follow their own bent. The work is well correlated and uniformity of instruction is secured by universal enforced adherence to state curricula and by pedagogical training. In the enforced absence of Professor Henry Johnson of Teachers College, his paper on History in French Secondary Schools was summarized by Mr. James Sullivan, who described some changes effected by the laws of 1902 and 1905. Especially noteworthy is the adoption of the recitation method, lecturing to the class being forbidden by law, and the assignment of long lessons in full text-books. Wide reading is encouraged.

Professor A. C. McLaughlin, chairman of the Committee of Five on History in Secondary Schools, read a preliminary and in some respects tentative report from that committee. The committee was disposed to adhere in general to the recommendations made in the *Report of the Committee of Seven*. The carrying of ancient history down to 800 A.D. was approved; to add definiteness the committee will suggest the topics that should be treated in the later centuries of this period. As much colonial history as possible should be studied in connection with English history, so that only one month of the last year need be given to colonial history, and two-fifths of the year may be devoted to the separate study of civil government. The committee sympathizes with the demand for more time for modern European history and, as an alternative to emphasizing it at the expense of medieval history in the second year, suggests the substitution in the second year of a course in English history (to 1760), which would bring in general medieval history; and a third-year course in modern European history with introductory matter concerning the later Middle Ages.

Throughout the sessions, except in this last or pedagogical conference, the absence of informal discussion was almost complete.

What is planned by a programme committee to be a free discussion of this sort has for several years seemed fated, in every conference except those devoted to curricula and methods of teaching, to turn into a series of ten-minute written papers not differing except in length from the series of twenty-minute papers which has preceded. Amid the chorus of congratulation upon the advances made in history in this country during the last twenty-five years, there is grave reason to doubt whether, in the last decade at least, that quick and vivid interest in research which would make discussion inevitable on such occasions has increased at all, except in the sense that the profession has grown larger, and that greater numbers of young men conform to the requirement of the doctoral thesis. Some two hundred and twenty-five such dissertations are listed as having been printed in the last twenty-five years; but the writer of these pages knows of but fifteen persons in the list who have since published other equally extensive pieces of historical research. The number of valuable American historical books reviewed in the fourteenth volume of this journal was not much greater than in the first.

That the Association itself, however, is doing its part to cause historical work in the United States to progress, was plain from the transactions of the business meeting, which now remain to be described. The secretary, Mr. W. G. Leland, reported a total membership of 2743 (or 2481, if those are omitted who are delinquent in the payment of dues). The report of the treasurer, Dr. C. W. Bowen, showed net receipts of \$9521, net expenditures of \$8649, an increase of \$819 in the funds of the Association, and total assets of \$26,903.

The Public Archives Commission reported that it expected to present, for publication in the next annual volume, reports on the archives of California, Illinois, and New Mexico, and that, by action of the Council, the Commission, reinforced by five other members, would act for the United States in the organization of the International Congress of Archivists to be held at Brussels in August, 1910. The Committee on the Herbert Baxter Adams Prize reported the award of the prize to Dr. Wallace Notestein, of the University of Minnesota, for an essay entitled "A History of English Witchcraft", which will follow Dr. C. E. Carter's essay on "Great Britain and the Illinois Country" in the Association's new series of prize essays. On behalf of the General Committee extensive efforts for increase of membership were reported, with gratifying results indicated in the figures quoted above.

Brief reports were also made on behalf of the Pacific Coast

Branch (represented on the present occasion by Professor Bernard Moses), the Historical Manuscripts Commission, the Board of Editors of this journal, the Committee on Bibliography, the Committee on Publications, the general editor of the "Original Narratives of Early American History", the Committee of Five on History in Secondary Schools, and the Committee appointed last year on a Bibliography of Modern English History. The Council announced the membership of the Committee on Programme for the meeting at Indianapolis in December, 1910, of the Local Committee of Arrangements for that occasion, of a committee to report at the next meeting on questions concerning Historical Sites and Monuments (President E. E. Sparks, chairman), and the membership for the ensuing year of the various permanent committees and commissions. A list of these follows. Professor F. J. Turner was appointed a member of the Board of Editors of this journal, for a period of six years beginning January 1, 1910, in the place of Professor Hart, whose term expired and who declined re-election after invaluable services to the REVIEW from its beginning in 1895.

The committee on nominations, Professors MacDonald, W. E. Dodd, and Wrong, proposed a list of officers, all of whom were chosen by the Association. Professor Frederick J. Turner was elected president for the ensuing year, Professor William M. Sloane and Theodore Roosevelt vice-presidents. Mr. Waldo G. Leland was elected secretary, Professor Charles H. Haskins secretary of the Council, Dr. Clarence W. Bowen treasurer, and Mr. A. Howard Clark curator. In the place of Mr. Ford and Professor MacDonald, who had served three terms in the Executive Council, President Edwin E. Sparks and Professor Franklin L. Riley were chosen.

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¹ Ex-presidents.

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THE KING'S COUNCIL AND THE CHANCERY, I.

THE king's council is known as the original authority from which the court of chancery sprang. "As the Law Courts had branched from the 'Curia Regis', so the Chancery", it is said, "began to separate from the Council",¹ but the steps by which the process of separation was carried out have not been known. What was the difference, moreover, between the council and the chancery at the time of division has never been told. That such a problem should still remain unsolved has been due not to want of attention on the part of historians, but to the difficulties encountered. As Palgrave has explained, "partly from the absence of records, and partly from their ambiguity, the history of the Council, a Tribunal which occupied the most prominent station in the government of the country, is involved in great obscurity."²

Much of this obscurity has arisen from a failure to realize that the history of the council lies not in a single line of records but in several. Of these the archives of the chancery are the most abundant, the most accessible, and the best known, from which has been derived nearly all that has been written upon the subject. A different view of the council in many of its activities may be obtained from the rolls of the exchequer, which, however, will be drawn upon only a little for the present purpose. Still another aspect is unfolded from certain sources of later origin, less abundant, and as yet not widely known, namely the records of the privy seal, some of which have only recently been discovered.³ As these throw much new light on the history of the council, particularly in its relations with the chancery, they will afford much material for the present article.

As to the early relations of the council and the chancery no fault is to be found with existing accounts, save as a few matters of fact and explanation may still be added. It will be granted as self-evident that the council, having no executive agencies of its own, must operate through one or more of the existing departments of government, whether the exchequer, the chancery, or some other. In the reign of Edward I. it is clear that many important activities of the

¹ Dicey, *Privy Council* (London, 1887), p. 16.

² Palgrave, *Original Authority of the King's Council* (London, 1834), p. 19.

³ Especially the newly compiled Warrants Privy Seal. All the unpublished documents to which I shall refer are in the Public Record Office.

council were in association with the exchequer, under the treasurer as the chief officer. Frequently meeting in the exchequer chamber, sitting with the barons, the councillors made ordinances, which were recorded upon the rolls and were operative through the other agencies of that body. The treasurer also exercised a presiding function, receiving letters of the king with matters for the consideration of the council, which on occasion he was directed to summon.⁴ A procedure of some significance was that of referring to him petitions of suitors in the following manner: "Mittatur ista petitio thesaurario inclusa in litteris Regis et mandetur eidem quod vocatis illis de consilio Regis Londoniae examinari faciat istam petitionem et contenta in eadem et fieri faciat conquerenti quod fuerit rationis."⁵ Cases of this kind were said to be heard *coram thesaurario et consilio*,⁶ and many of these are recorded upon the Memoranda Rolls.

Of the "council at the exchequer", to use a contemporary term, more might be said, but it is sufficient to point out that the beginnings of the "council in chancery" were very similar. At first the chancellor alternated with the treasurer as chief executive officer. He likewise received letters of the king with commands for the council; he was instructed to summon others of the council; he was to receive the petitions of suitors which were to be submitted to the council.⁷ But none of these functions at first belonged to him exclusively. The special advantage of his office lay in his custody of the great seal, which for the issue of letters and writs was more extensively employed by the council than any instruments of the exchequer. Not unnaturally the clerks who wrote the letters were also employed to write the ordinances, and the rolls of the chancery like those of the exchequer became a medium for the council records.

As a secretarial department the chancery was allowed the minimum of discretionary power. In the issue of writs the clerks were permitted of their own initiative to issue only those *in consimili casu*, while all questions of form they were required by statute to refer to the next Parliament.⁸ In fact matters of doubt and ambiguity were more readily referred to the council,⁹ while instruc-

⁴ *Ancient Correspondence*, vol. XLV., nos. 121, 143, etc.

⁵ *Ancient Petitions*, no. 11872, endors; also *Memoranda Roll, Exchequer, K. R.*, 35 Edw. I., m. 53.

⁶ *Rotuli Parliamentorum*, I. 214, 375.

⁷ In the ordinance of 8 Edward I., it was enacted that no petition should come before the king and council except by the hands of the chancellor and other chief ministers. Hardy, *Introduction to the Close Rolls*, p. xxviii, *Calendar*, p. 108. The importance of this ordinance as regards the functions of the chancellor has been exaggerated.

⁸ *Statutes*, 13 Edw. I., c. 24.

⁹ *Calendar of Patent Rolls*, 20 Edw. III., p. 66; 24 Edw. III., p. 209.

tions as to new and unusual writs were received "according to the form ordained by the king and council".¹⁰ So far, indeed, was the chancery dependent upon the council in all matters, that for the purpose of lending their aid and advice it was customary for councillors to meet with the clerks, as with the barons of the exchequer, "to be present in the chancery". Thus in the ordinary proceedings of the chancery, such as the registration of quit-claims, concords, recognizances, and confirmations of charters, the presence of the council is frequently noted. Likewise among the chancery pleas are those designated as "Placita coram Rege et Consilio suo in Cancellaria";¹¹ while cases before the chancellor and council begin to appear upon the Close Rolls.¹² These, however, belong to the purely common-law jurisdiction of the chancery, which was of limited scope and never attained an extensive development, and concerning which there is little to be said. For the ordinary business of the chancellor's office, the presence of the council becomes less noticeable and in 1376 was declared to be unnecessary.¹³

It is rather in the exercise of an extraordinary jurisdiction that the attendance of the council was most essential, and that the chancery acquired its special importance. The beginning of a special procedure may be noted in the early years of Edward I., when the king by a letter of the privy seal refers to the chancellor a petition in the following manner: "Mandamus vobis quod inspecta petitione . . . quam vobis mittimus inclusam, et habita super ea deliberatione coram vobis et consilio nostro ibidem ulterius inde fieri faciatis quod de iure et gratia curie nostre videritis faciendum."¹⁴ Such a letter became the preliminary writ which was necessary for an adjudication in chancery. At the time, however, it did not differ materially in content from others which were directed to the regent¹⁵ or to the treasurer, one of which has been quoted. Another form of address, which reveals in the beginning an uncertainty of procedure, was "to the treasurer, the chancellor, and others of the council".¹⁶ Not until the reign of Edward III. can it be said that reference to the council was regularly made through the chancellor rather than through the treasurer.

¹⁰ Ancient Petitions, nos. 14570, 14573, etc.

¹¹ Placita in Cancellaria, 30 Edw. I., no. 37; 34 Edw. I., no. 1A; 18 Edw. III., no. 16; 21 Edw. III., no. 21, etc.

¹² *Calendar of Close Rolls*, 30 Edw. I., p. 365; 34 Edw. I., p. 395.

¹³ *Rot. Parl.*, II. 322.

¹⁴ Warrants in Chancery (Privy Seal), 11 Edw. I., no. 151; October 14.

¹⁵ Ancient Correspondence, vol. XLV., nos. 155, 156, etc.

¹⁶ Memoranda Roll, Exchequer, K. R., 35 Edw. I., m. 41; also Hall, *Formula Book of English Documents* (Cambridge, 1908), p. 100.

In this connection it must be remembered that between the various departments and courts there tended to be much jealousy and contention. The clerks of the chancery in particular maintained with the officials of the exchequer a rivalry which was to a degree reflected in their records. The distortion which has been caused by a reading of the chancery records alone is apparent, when these are supplemented by the rolls of the exchequer. By the aid of the latter it becomes clear that, in his relations with the council, the primacy of the chancellor over the treasurer was not accomplished without a struggle, which seems to have culminated in the fifth year of Edward II., when the chancellor caused the suspension of the treasurer from his office.¹⁷ Apart from the political struggle, however, a special advantage in favor of the chancery appeared in certain writs, namely the *quibusdam certis de causis* and the *sub poena*, which were soon devised in that office.¹⁸ These became an essential feature of council procedure, as will later be described, and served to identify that body the more closely with the *officina brevium*.

The committal of cases to the chancery was largely increased by Parliament and the council, which were constantly overburdened with the suits of private parties.¹⁹ From the reign of Edward II. the Parliament Rolls are filled with petitions which were endorsed in the following manner: "Soit ceste petitoun maunde en chauncellerie . . . et le chaunceller appellez devant lui ceux qui sont appeler face outre droit et reson."²⁰ Sometimes the order was sent by the king's writ, *per litteras Regis*, but ordinarily the endorsement upon the petition was sufficient. That the chancery in such cases acted only under authority was carefully maintained. Thus a petition of the forty-third year of Edward III. was committed with the following direction: "Soit ceste petition mande en chauncellerie et illeoque appellez ascunes des grantz du parlement et autres du conseil le Roi", etc.²¹ More often it was expressed that the chancellor was to have power "by authority of parliament".²² The connection between Parliament and the chancery was the more close, no doubt, since from the beginning of Edward III.'s reign the clerical

¹⁷ Memoranda Roll, Exchequer, K. R., 5 Edw. II., m. 41.

¹⁸ Palgrave, *Original Authority*, pp. 40-41.

¹⁹ Thus a petition of the burghers of Oxford, seeking a confirmation of their liberties, declared that they had tried at various Parliaments, but had been delayed "por les hautes busoignes le Roi". It was endorsed that they should seek the confirmation in the chancery. Ancient Petitions, no. 9994.

²⁰ *Ibid.*, no. 13933; also nos. 9989, 10001, 11182, 12937, etc.

²¹ *Ibid.*, no. 10464.

²² "Ait le chanceller poaire par autorite du parlement de faire venir devaunt lui", etc. *Ibid.*, nos. 9879, 11046, 11531, 11598, etc.

work of Parliament was entirely in the hands of the chancery officials. In a number of instances certainly where there was a choice, cases were sent to the chancery in preference to the other courts.²³ For a long time probably the greater bulk of the judicial business of the chancery was created in this manner. It was a different method of delegation but still by Parliamentary authority, that certain subjects, such as misdemeanors in office,²⁴ foreign appeals,²⁵ and false accusations,²⁶ were by several statutes placed under the jurisdiction of the chancellor and council. An over-emphasis, however, has been made of the ordinances and statutes as marking in some way the beginning of the chancery jurisdiction.

The efficiency and popularity of the hearings in chancery are best shown, in the reign of Edward III., by the frequency with which plaintiffs sought them, in their petitions beseeching the king in the following manner: "Plaise . . . par voz lettres comaunder a votre chaunceller qui assemblez voz justices sergeauntz et autres sages de votre consail il face ceste busoigne ou toutes les circumstancies debatre diligeantment et . . . ils ent facent ordainer si covenable remedie".²⁷ A suitor of the reign of Richard II. looks to his surest means of assistance when he asks that as the council was not to meet before Michaelmas the chancellor be commanded to assemble it without delay.²⁸

The court which the chancellor was instructed to assemble was the council, sometimes including "the lords and those skilled in the law", or more often those of the council "who ought to be summoned", "whom he sees fit", or "come fait a faire".²⁹ It was left, therefore, largely to his discretion how many bishops, lords, justices, sergeants-at-law, and clerks should be called; although an obligation to summon an appropriate number is once suggested in a demurrer that there was not a sufficiency of learned men present to do justice.³⁰ For yet an indefinite time it was not a fixed tribunal, but ever an assemblage called *ad hoc*, according to the nature of the case. Sometimes there were jurists only, sometimes mainly

²³ Ancient Petitions, nos. 9975, 12841, 15564.

²⁴ Statutes, 20 Edw. III., c. 6; 36 Edw. III., c. 9.

²⁵ *Ibid.*, 27 Edw. III., c. 1; 38 Edw. III., cc. 2 and 3.

²⁶ *Ibid.*, 37 Edw. III., c. 18; 38 Edw. III., c. 9; 42 Edw. III., c. 3; 17 Rich. II., c. 6.

²⁷ This is of 21 Edw. III., Ancient Petitions, no. 12144. Some are earlier, e. g., no. 12220 is of 17 Edw. III.

²⁸ Warrants Privy Seal, series I., section II., file 6.

²⁹ "Appellez a vous ceux de notre Conseil queux vous verrez qe serroit a ce appeller", was a common form. Warrants in Chancery (Privy Seal), no. 10724; *Rot. Parl.*, I. 362, etc.

³⁰ The Molyns case, *Cal. Pat. Rolls*, 20 Edw. III., p. 136.

lords, who constituted the court under the chancellor. Neither were there at first any special subjects of jurisdiction, but cases were referred apparently on no other ground than that of convenience and expediency.

Cases were said to be heard "before the chancellor and others of the council".³¹ In the records which frequently appear upon the rolls, the presiding function of the chancellor is plainly indicated. He summons the parties;³² assigns a day for the case;³³ addresses a question to the litigants;³⁴ answers a demurrer;³⁵ admits an attorney in spite of the objections of other councillors;³⁶ dismisses a case on his own responsibility;³⁷ and delivers the mandate of the court.³⁸ For his influence in the Melsa case, 1356-1367, it is confessed that he was extensively bribed.³⁹ It was once alleged as an error in a plea that the judgment was rendered by the chief justice of common pleas in the absence of the chancellor.⁴⁰ The other members of the council are represented as assessors or advisers, when in the reign of Richard II. the chancellor was instructed to act "by his discretion with the advice of the council".⁴¹ It is important to observe, however, that for the rendering of decrees the participation of the council was still essential, for as yet in the fourteenth century none were stated as rendered on the authority of the chancellor, but on that of the council—*ordihatum* or *decretum est per concilium* being still the proper form.

Thus far the chancery has been represented solely in the light of a subordinate authority, requiring for its judicial actions in every instance a preliminary writ or order. It is now possible to consider some of the steps by which the chancellor acquired a greater degree of independence, proceeding in judicial matters upon his own authority. "It may readily be supposed", as Dicey says, "that the pressure of other business, and a distaste for the niceties of legal discussion, made the Council glad to first refer matters of law to the Chancellor, and next to leave them entirely to his decision."⁴² The first signs of an advance in this direction come in the petitions

³¹ *Cal. Pat. Rolls*, 18 Edw. III., p. 409; 21 Edw. III., p. 413.

³² *Ibid.*, 20 Edw. III., p. 136.

³³ Ancient Petitions, no. 12289, 23 Edw. III.

³⁴ *Cal. Close Rolls*, 26 Edw. III., p. 470.

³⁵ The Audeley case, Close Roll, 40 Edw. III., m. 15; 41 Edw. III., m. 13.

³⁶ *Chron. de Melsa* (Rolls Series), III. 135.

³⁷ Baildon, *Select Cases in Chancery* (Selden Society, London, 1896), no. 106.

³⁸ Ancient Petitions, no. 14957.

³⁹ *Chron. de Melsa*, III. 135.

⁴⁰ Ancient Petitions, no. 11094.

⁴¹ *Rot. Parl.*, III. 14, 140.

⁴² *Privy Council*, pp. 16-17.

which suitors began to address to the chancellor instead of to the king and council.

As it was a custom to direct petitions to any of the ministers for writs, letters, and other matters within their ordinary official powers, it was natural to appeal to the chancellor also for his influence in the council. Thus in the reign of Edward I. John de Langton was besought in the following terms: "Vous pri et requer pur lamour de moy que . . . voy donez teu remedie com la court peut suffrir."⁴³ In the nineteenth year of Edward II. the chancellor was asked to regard a petition which was delivered in Parliament and to answer *par commun conseil*.⁴⁴ In a petition to the chancellor of the second or third year of Edward III. the keeper of the forest of Galtres complains of a conspiracy to rob the forest and asks, "pleise a vous sire conseiller issi qen cas notre Seigneur le Roi mette remedy."⁴⁵ About the ninth year of the same reign a man made complaint to the chancellor that he had lost money in the king's service, whereupon he was told to come before the council to explain the matter further.⁴⁶ As a means of approach to the council the chancellor became the constant object of appeal for the writs of summons and arrest, thus: "qe vous please granter un brief pour arrester le corps du dit Henry et lui amesner devaunt le conseil de respondre vers le conseil."⁴⁷ To obtain the writ was to begin a council process.

In the same reign there begins to appear a new form in the address of petitions to the chancellor *and* council. It is not strange to find here again an alternative procedure suggested in a petition of about the first year of Edward III., "au Tresorer nostre Seignur le Roi et a son counsel", in which a merchant of Gloucester complains of an attack and robbery which was made off Dover upon his ship by men of Calais. That the chancery, however, was the proper place for such suits was stated in the endorsement, "sequatur in cancellaria et fiat ei sicut fit aliis in consimili casu."⁴⁸ In the twelfth year of Edward III., 1338, a petition for a confirmation of charters was addressed, "Venerabili domino domini nostri Regis illustris cancellario et ipsius consilio".⁴⁹ Of the same year is a petition similarly addressed by a monk and prior of Jersey, who complains that he has suffered loss of goods as though he were an alien,

⁴³ Ancient Correspondence, vol. XXVI., no. 78; also no. 111.

⁴⁴ Rot. Parl., I. 437a.

⁴⁵ Ancient Petitions, no. 15119.

⁴⁶ Ibid., no. 14774.

⁴⁷ Ibid., nos. 14847, 15176, temp. Edw. III.; *Calendars of Proceedings in Chancery*, vol. I., p. xii.

⁴⁸ Ancient Petitions, no. 15564.

⁴⁹ Ibid., no. 11961.

whereas he declares he is a native of the island.⁵⁰ From this time scores of legal petitions to the chancellor and council appear, showing in their variety and frequent incorrectness of form a still unsettled usage. One as early as 1340 begins in the following manner:

A [sic] treshonorable pier en dieu et lour treschier Seigneur si luy
plest sire John par la grace de dieu Erchevesque de Caunterbyrs et
Chaunceler notre Seigneur le Roi et au bon conseil le dit notre Seigneur
le Roi.⁵¹

Other forms are:

Al Chaunceeler et as autres Seigneurs du counsail notre Seigneur le Roy.⁵²

As treshonoree Seigneurs le Chaunceller notre Seigneur le Roy et
son tressage conseil en le chauncellerie.⁵³

As treshonourables et tresreverentz seigneurs Chaunceller, Tresorer,
Prive Seal, et touz autres honourables et tressages Seigneurs du conseil
notre Seigneur le Roi.⁵⁴

These forms may be regarded as transitional, occurring less frequently after the reign of Edward III., when they were superseded by the single address to the chancellor.

That the chancellor might proceed to administer justice upon his own responsibility without a preliminary writ also begins to appear in the reign of Edward III.⁵⁵ This is indicated in the petitions for remedy which were addressed to him—*au chanceller notre Seigneur le Roi*—instead of to the king and council.⁵⁶ The earliest of such petitions which the writer is able to identify is of the years 1343–1345,⁵⁷ after which time they are numerous enough to indicate a frequent though still unusual procedure.⁵⁸ In the reign of Richard II. they occur in such numbers and regularity of form as to reveal an established usage and to indicate the beginning of the separation of the chancery court from the council.⁵⁹

⁵⁰ Ancient Petitions, no. 13077, translated in Société Jersiaise, *Ancient Petitions* (Jersey, 1902), p. 66.

⁵¹ Ancient Petitions, no. 14915.

⁵² *Ibid.*, no. 10471, 28 Edw. III.

⁵³ *Ibid.*, nos. 15740, 14755, 15781, etc.

⁵⁴ *Ibid.*, no. 14955, 10 Rich. II.

⁵⁵ An instance purporting to be of 14 Edward III. is quoted in Spence, *Equitable Jurisdiction of the Court of Chancery*, I. 338. The reference is an error, however, as the passage is taken from the reign of Edward IV., not from that of Edward III.

⁵⁶ Ancient Petitions, file 303, contains many.

⁵⁷ *Ibid.*, no. 14865.

⁵⁸ *Ibid.*, no. 12289, in which mention is made of a suit begun by bill addressed to the chancellor of 27 Edward III. No. 15074 is a notable one of 38 Edward III., given in Hardy, *Introduction to the Close Rolls*, p. xxix. No. 15149 is of the 40th year, and no. 15124 of the 48th year. There are, I am sure, a great many more, but it is not always possible to date them.

⁵⁹ Ancient Petitions, files 301, 302, and especially file 332. Also Baildon, *Cases in Chancery*, nos. 107 ff.

They contain a recital of one or another of the common grievances, such as violent attack, fraud, seizures at sea, and inability to obtain remedy in the ordinary courts. They plead for remedy in terms like the following: "pur quei le dit X prie votre gracieuse Seignurie que vous ordinez remedie, pour lonneur de dieu et en oeuvre de charite."⁶⁰

More elaborate forms of address also appear. To the simple form *au chanceller* of the earlier petitions are now added "reverend father in God", "honorable", "gracious", "sage", or "puissant lord". Something of a judicial title is expressed in the words *votre droiturele Seignurie*.⁶¹ At this time, also, the address is placed in the upper margin of the parchment apart from the body of the bill. The reasons which guided suitors in thus addressing their petitions to the chancellor seem perfectly clear. There was in the first place his influence in the council, which for a time was shared by the treasurer; there was also his peculiar function of issuing the necessary writs; and above all there was recognized his power as an executive officer in enforcing the law. This last consideration was expressed by a plaintiff who in 1388 asked the chancellor to proceed against his enemy, "et en oeuvre de charite luy chastier come vous bien puissez de votre droiturele Seignurie";⁶² and again within the years 1391-1396, "depuis que vous avetz les leyes soveraignement a gouverner desouz notre Seigneur le Roy et sa pees a mayntenir et tielx riotes a contreester et des malefeassours et rebelx deinz la Roialme pur duement punire et chastier".⁶³ To practical considerations such as these the popularity of the chancellor's court is due, rather than to any theory of his position as "holding the prerogative of the king's grace" or as "keeper of the king's conscience", which was as yet unformulated.

The exact stage of development which was reached by the reign of Richard II. is perhaps best shown by a certain well-expressed petition within the years 1389-1391.⁶⁴ It was addressed to the chancellor, William of Wykeham, complaining of a seizure at sea, and prayed him to consider the matter and ordain remedy. In the endorsement it is recorded that the hearing was before the council, by whose authority the decree was made awarding damages, whereupon the mandate of the court was given by the chancellor. As thus established the constitution of the chancery was little changed during the fifteenth century. The council remained but with a tendency to be represented by regular officials, such as the serjeants-

⁶⁰ Ancient Petitions, nos. 12264, 13313, etc.

⁶¹ *Ibid.*, no. 15085.

⁶² *Ibid.*, no. 15085.

⁶³ *Ibid.*, no. 15216.

⁶⁴ *Ibid.*, no. 14957.

at-law, and the "masters in chancery". Decrees of the chancellor are mentioned in the reign of Henry V.⁶⁵ and in the reign of Edward IV. are issued "by the chancellor and the authority of the chancery".⁶⁶ It should be understood, moreover, that with the new direct jurisdiction of the chancellor the older method of reference to the chancery by the king, the council, and the Parliament was by no means superseded. In the time of Richard II. the chancery petitions were as yet a small class and the greater bulk of chancery business was still in its subordinate relation.

At this point we may leave the development of the court of chancery with the statement that it was not a separation from the council so much as a specialization of that body in one sphere of its activities. At the same time there were other modes of council action which must now be considered to explain further the differentiation of the chancery.

The recognition of the chancery as a different or at least an alternative authority to that of the council begins to be signified in the later years of Edward III. by such expressions as "en la chauncellerie ou devant le conseil".⁶⁷ In the reign of Richard II. there are two distinct judicial authorities indicated in the statement that parties were to respond "devaunt le conseil notre Seigneur le Roi ou devaunt le chanceller en le chancellerie des tortz et grevances susditz".⁶⁸ In the twelfth year of the same reign a petition asking that certain disturbers of the peace be brought to the chancery was answered by a writ to have them come before the council.⁶⁹

Now what distinction is implied in the alternative of the council or the chancery? At first sight it would seem to be immaterial whether it were the council in which the chancellor was still the chief officer or the chancellor acting with the assistance of the council. In the words of Dicey again, "there is little reason to suppose that in the fifteenth century persons brought before the Council and those summoned to the presence of the Chancellor came before an essentially different court."⁷⁰ In point of personnel at the time of Richard II. surely there was no difference, except that in the chancery it was the justices and other legal men of the council rather than the lords who were more regularly summoned, while the clerks

⁶⁵ "Omnia acta et actitata . . . per Dominum Cancellarium decreta conscribant." Sanders, *Orders in Chancery*, vol. I., pt. I., p. 7c.

⁶⁶ *Calendars of Proceedings in Chancery*, vol. I., pp. xcvi ff.

⁶⁷ Statutes, 27 Edw. III., c. 1; Ancient Petitions, no. 12318, 39 Edw. III.

⁶⁸ Ancient Petitions, nos. E 1006, 11028, 14754; *Cal. Pat. Rolls*, 11 Rich. II., p. 283; *Rot. Parl.*, III. 267, 323, 471, which have been pointed out by Mr. Baildon, *op. cit.*, p. xvii.

⁶⁹ Ancient Petitions, nos. 11076, 11077.

⁷⁰ *Privy Council*, p. 70.

also were regarded as an integral part of the court.⁷¹ It is of some significance too that at this time the council under pressure of Parliament became more than ever before a political body.⁷² This distinction, however, has little weight compared with a certain difference of procedure which steadily widened and caused the ultimate separation of the two courts.

The root of a new development lay in the extended use of the privy seal, which for many purposes came to supersede the great seal, while the office of the privy seal became a department comparable in importance with the chancery. This was partly no doubt to relieve the chancery of a great bulk of business, but more because of the greater convenience and less formality attending the use of the minor seal. According to the long-established customs of the chancery letters of the great seal must be written upon parchment, in the Latin language, and were encumbered with tedious formulae; except the writs of accepted usage they could not be issued without a warrant, and were likely thereafter to be enrolled. The chancery also labored under the afore-mentioned statutory restriction that new writs should not be framed without the sanction of Parliament.

It was against these limitations and inconveniences that the privy seal was originally devised for purposes of royal communications. Written in French and later in English, not necessarily upon parchment, of simpler and briefer form, these letters could be issued without a warrant, and were never enrolled.⁷³ By reason of these and other advantages of expedition and secrecy, the privy seal was seized upon by more than one of the government departments,⁷⁴ and became the direct and official medium of the council, while the king for purposes more exclusively his own fell back upon the signet. In the reign of Edward III. the keeper of the privy seal became one of the three principal officers of the council and for certain purposes its immediate executive.⁷⁵ In 1349 it was ordained that petitions of grace, such as were usually considered by the council, should be brought either to the chancellor or the keeper of the privy seal.⁷⁶ In 1390 an ordinance was made that petitions of the people should be examined before the keeper of the privy seal

⁷¹ In the year 1406 the court of chancery is described as "cancellarius cum co-officialibus suis et alio [sic] consilio regio". *Chron. de Melsa*, III. 300.

⁷² My article in the *AMERICAN HISTORICAL REVIEW* (1906), XII. 1-14.

⁷³ For a diplomatic study, see Déprez, *Le Sceau Privé* (Paris, 1908).

⁷⁴ The privy seal was the special instrument of the wardrobe. See article of Professor Tout, *English Historical Review* (July, 1909), p. 496.

⁷⁵ "Notre Seigneur le Roy graunta ceste supplication sur lavis de son conseil et bailla mesme la bille au Gardein de son prive seal par celle cause." *Ancient Petitions*, no. 11119, temp. Edw. III.

⁷⁶ Close Roll, 22 Edw. III., m. 2d.

and such others of the council as might be present.⁷⁷ His office became the regular channel of council action by means of writs, warrants, and other missives, while the chancery as a secretarial department was thereby one degree removed. For instance, a decree of the king and council was first expressed by a writ of privy seal, which was sent to the chancery as a warrant for an issue under the great seal.⁷⁸ The clerks who wrote the warrants were inevitably employed for the other secretarial work, after a brief period of alternation and rivalry,⁷⁹ displacing the clerks of the chancery, as the latter had once superseded those of the exchequer. The first to hold the office of clerk of the council was Master John Prophet in the reign of Richard II., one of the staff of the privy seal as was each of his successors.⁸⁰ In the hands of these men the records of the council and therefore its procedure followed the methods of the newer office which differed materially from those of the chancery. The chirography is recognizable as rounder and more cursive, the notes and memoranda were briefer, on thinner parchment, or on paper, in French or English rather than in Latin, the records were kept in files but with no enrollments like those of the chancery, while their final depository was the exchequer treasury instead of the Rolls House or the Tower.⁸¹

In the reign of Richard II. processes by privy seal were fully developed, including not only writs of summons but executory writs as well.⁸² There are evidences at that time of a positive policy on the part of the government to use the council as well as the chancery in rivalry with the common-law courts. The king appointed men to the council with salaries expressly for the purpose of hearing

⁷⁷ "Bills of the people of less charge" (*Nicolas, Proceedings of the Privy Council*, I. 18b), Palgrave has understood to mean petitions of poor suitors (*Original Authority*, p. 79). In its connection, however, the "people of less charge" are in distinction from the men "of great charge", namely the dukes and magnates mentioned. My interpretation of the ordinance quoted is that for the consideration of ordinary bills the keeper of the privy seal might take the place of the chancellor in the council.

⁷⁸ *Rot. Parl.*, 17 Rich. II., vol. III., p. 313a.

⁷⁹ There is an instance in which two distinct memoranda were made, one in Latin apparently by a chancery clerk, the other in French by a clerk of the privy seal. *Ancient Petitions*, nos. 11046, 11047.

⁸⁰ My article, *English Historical Review* (1906), XXI. 17-20.

⁸¹ The great collection of Sir H. Nicolas (*Proceedings of the Privy Council*, 7 vols.) consists entirely of documents of privy seal origin, although this fact is not presented by the editor. The statement that there were no enrollments in the privy seal office needs the qualification that a council register was started in 1391 and begun again in 1422, but this was not for judicial records.

⁸² "Le conseil estoit acordee que le suppliant en ceste bille avera executors bries et lettres du privee seal." *Ancient Petitions*, no. 11010 endors.

cases, and their activities in this sphere are well attested.⁸³ The aggression of the council was strenuously resisted in Parliament, objection being expressed particularly to the writs and processes by privy seal.⁸⁴ The increased activity of the council was one of the features of Richard's career of absolutism, and served as one of the causes leading to the revolution of 1399, when the council suffered a check but not a hindrance to its further development in this direction.

In the divergence of the council (privy seal), to make a convenient designation,⁸⁵ and the "council in chancery", as the other continued to be called, differences of record were a fundamental matter which had a practical bearing in all administration and judicature. With the government there was the alternative between the greater secrecy and dispatch of the one procedure and the greater formality and surer means of record afforded by the other. For these reasons the privy seal was adopted by the council for all its political activities and for such judicature as most affected interests of state. To the suitor, on the other hand, there was offered a measure of choice whether to have his case terminated by writs of privy seal at less cost but without enrollment, or by letters of the great seal at greater expense but with more security. To considerations such as these was it due that the council in time became the great tribunal for criminal trials, and the chancery the court for property cases. The further relations and differentiations of the two bodies or forms of authority, therefore, must be followed in the light of their judicature. This task I shall be permitted to undertake in a succeeding article.

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⁸³ See my article, "The Privy Council of the Time of Richard II.", AMERICAN HISTORICAL REVIEW (1906), XII, 1-14.

⁸⁴ *Rot. Parl.*, III, 21, 44 (§ 49), 266a, etc. In the first year of Henry IV. the Commons prayed that all personal actions be tried at common law and not by writ of privy seal. *Ibid.*, III, 446.

⁸⁵ The "council in star chamber" would be a designation not sufficiently accurate at this time, for the chancery sessions were then frequently held in the Star Chamber. The necessary distinction is one of procedure, not of place.

WÖLLNER AND THE PRUSSIAN RELIGIOUS EDICT OF 1788, II.

In the preceding pages of this study a sketch was given of the development of religious thought in Prussia during the reign of Frederick the Great, in whom the *Aufklärung* may be said to have ascended the throne. Like so many great movements of thought, the *Aufklärung* produced in the ranks of its adherents elements and personalities unable to fight the whole battle through on the lines laid down by the boldest of its leaders. Among its camp-followers who had sought shelter in the opposing ranks and who had gradually risen to the position of chief of staff was Johann Christof von Wöllner, a rationalist minister turned mystic, whose career and relations with the new sovereign, Frederick William II., had been followed to his appointment as Minister of Religion under his former pupil, now the successor of Frederick the Great. Wöllner's first and most important official act was the proclamation of the Edict of Religion. Its genesis has already been traced.

The edict bears the date of July 9, 1788.¹ In the introduction Frederick William II. explains his purpose:

Long before our accession to the throne we had observed and remarked how necessary it would one day be to endeavor after the example of our predecessors and particularly of our deceased grandfather to maintain and partly re-establish in the Prussian dominions the Christian faith of the Protestant Church, in its ancient and primitive purity, and to repress, as much as possible, infidelity and superstition, and by this means also the corruption of the fundamental truths of the Christian religion and the licentiousness of morals which is a consequence of it; and to give at the same time to our faithful subjects a convincing proof of what they have a right to expect from us as their sovereign in regard to their most important concern, that is to say, full liberty of conscience, their tranquillity and security in the persuasion which they have embraced, and in the faith of their fathers, as well as in respect to protecting them against all perturbators of their divine service and religious constitution; in consequence whereof, having now regulated the most urgent affairs of the state and made some necessary and beneficial new arrangements, we have not wished to defer a single moment the serious consideration of this other important duty, which our character of sovereign imposes on us, and to publish by the present edict, our immutable will on this subject.

¹ Text of the edict in *Publicationen aus den königlichen Preussischen Staatsarchiven*, LIII. 250-257; Mylius, *Nov. Corp. Const.*, VIII. 2175-2183; Rabe, *Sammlungen*, etc., vol. I., pt. VII., pp. 726-733.

This introduction has a double retrospect which is enlightening. It points in the very first phrases to the period before his accession, when, as prince, Frederick William was shaping his views on these matters under the tutelage of Wöllner, to whom he has now committed the formulation and execution of his religious policy. Secondly, it ignores completely and purposely the reign of the great Frederick which was the apotheosis of the *Aufklärung*, and seeks to formulate its programme of reaction under cover of a return to the policy of sixty years before during the reign of the unrestrained autocracy of Frederick William I. (1713-1740). Every word of implied or expressed praise for his grandfather in suppressing superstition and falsification of fundamental beliefs is a condemnation of Frederick the Great's forty-six years of enlightened indifferentism. It then attempts to guarantee what is impossible in a bureaucratic state—that the private beliefs of all subjects shall be respected and their freedom of conscience assured while at the same time no official, in this case no minister of religion, though, of course, a subject with the rights above guaranteed, is to be allowed to disturb the settled creeds and faiths. Such a conception of a free church in a free state meant either hypocrisy on the part of the subject who is a state official, that is, a minister of religion, or oppression of the most galling kind on the part of the monarch who directs religious matters as though they were purely affairs of state. And then, in the interests of morality and religion, the paramour of Mme. Rietz and his minister, Brother Chrysophiron of the Rosicrucian Order, announce the immutable intention of a sovereign whose character was but the débris of broken resolutions and whose eleven years' reign is a chaos of half-executed policies.

The first six paragraphs of the edict, each brief, define the acknowledged position of the three confessions: Lutheran, Calvinist (Reformed), and Catholic, and the three tolerated sects, Herrnhuter, Mennonites, and Bohemian Brethren.² The officials are to prevent the rise of other harmful groups seeking to proselyte and thus abuse the toleration "so distinctive of the Prussian States". Proselyting is above all things forbidden to any confession or sect, though the individual is at perfect liberty to change his faith on his own initiative, but he must give proper and public notice of it to the state's officials. The activity of the Jesuits was in particular commended to the watchfulness of the state officials, religious and secular. Such modifications of the creeds as had been made

² There is here an historical error in referring to the latter three as tolerated sects. It was corrected by a special rescript, April 10, 1789. Cf. *Acten, Urkunden . . . zur . . . Kirchengeschichte* (Weimar, 1789), II. 173-175.

necessary by the antiquated language of the present form were permissible. Harmony between the sects was to be encouraged as far as possible. All this with the announced intention not only to maintain the old Prussian toleration but to see to it "that not the slightest intolerance should be exercised on anybody at any time . . . as long as each . . . keeps his own views to himself and carefully abstains from spreading them or seeking to convince others or mislead them or make them waver in their beliefs". "According to our opinion", says Frederick William II. (Wöllner), "every Christian ruler has only to see to it that the people are correctly and faithfully instructed in the true Christianity by the teachers and preachers, and thus to give every one the opportunity to learn and embrace it."

Sections VII. and VIII., which define and denounce the errors to be combated and which lay down the lines of warfare against them, are the heart of the edict. In section VII. the king describes how before his accession he had observed with regret the condition of the Protestant churches. The pulpits were filled with men who did not hesitate to preach doctrines "entirely contrary to the spirit of true Christianity . . . miserable errors long since refuted of Socinians, Deists, Naturalists, and other sects", thus diminishing the authority of the Bible "or even rejecting it entirely" together with "the belief in the mysteries of the redemption and atonement of the Saviour". To this "disorder" he proposes to put an end by fulfilling "one of the first duties of a Christian prince in insisting that Christianity in all its ancient and primitive dignity, splendor, and purity as taught in the Bible . . . and determined in the creeds of the chief confessions" shall no longer "be the sport of the delusions of new-fangled teachers".

He then proceeds in section VIII., as sole legislator, to command that all teachers and preachers abstain from spreading the errors denounced on pain of certain dismissal, or even severer punishment. Just as the king would preserve the civil law in all its authority, he now proposes to support the three chief creeds (Catholic, Lutheran, and Calvinist), which, if any teacher or preacher has once accepted, he is not at liberty to change or modify at his own will "in the minutest point". "If he teach any other thing (than the creed he has accepted) he is already punishable by the civil laws and cannot with propriety hold his office any longer." If he has ceased to believe in the creed he once accepted he may resign. "However, from our great love of liberty of conscience, we are willing that the clergy now in office who may be known to be unfortunately more or less infected by the errors set forth in section VII. should

remain quietly in their charges, only in the instructions they give their flock the rule of doctrine must always be kept sacred and inviolable."³

As has already been emphasized, the announcement of some sort of a religious programme of reaction was not unexpected in Prussia. In several of the German states⁴ the rulers had already issued more or less formal warnings to their ecclesiastical authorities to guard against the spread of heterodoxy by the teachings of the men whose pulpits were meant to be the bulwarks of the old faith. The freedom and toleration of Frederick II. and Joseph II. had found critics open and covert before their death. The principle of "cujus regio, ejus religio" was not dead in non-Prussian Germany, and even in Prussia the prince was still conceded a special claim to the direction of church affairs. Why, then, does the Religious Edict constitute such a striking incident in Prussian history? Why is the struggle against it one of the most inspiring battles in all the too brief annals of Prussian constitutional history—one which may lead a later age, as it did Bentham, to compare Schulz and Sack and Spalding and Teller to Pym and Hampden?

Two points, the simplest and most evident that can be suggested about the edict, are the answer to the question that has just been propounded. The ordinance was an *edict* and it appeared in *Prussia*. By its very name it was distinguished from the simple directions to the ecclesiastical department given at this time in so many other German states for the purpose of bettering religious conditions. The edict, in its title as well as in its contents, seemed an attempt to revive not only religious but political conditions of the sixteenth century, when the princes had supplanted the pope in the management of the Church and the guardianship of morals.

³ *Publicationen aus den K. Preuss. Staatsarchiven*, LIII. 253–255. For a better translation than the one in Segur, I. 442–447, and for several references I am indebted to an essay prepared in my seminar at Yale by Dr. D. W. Brandelle of Bates College.

⁴ Cf. Frank, *Gesch. d. protestantischen Theologie*, Theil III., pp. 172–174; Henke, *Allg. D. Bibliothek*, CXIV. 10–11; *Acten, Urkunden . . . zur . . . Kirchengeschichte*, I. 182–184 (for Baden's decree); *Acta Historico-Ecclesiastica Nostri Temporis*, III. 994–996 (for Saxony's edict of October 2, 1776). On the prosecution in Saxony of some of Kant's disciples, cf. Henke, *Archiv für Kirchengeschichte*, III. 715 ff. For Saxe-Weimar, cf. [Röhr] *Wie Carl August sich bei Verketzerungsversuchen gegen akademische Lehrer benahm* (Leipzig, 1830). The decrees of Württemberg are found in Th. Eisenlohr, *Sammlung d. württemberg. Kirchengesetze* (Tübingen, 1834–1835). For Joseph's liberal decrees, cf. *Acta Hist.-Eccl.*, vol. III., Theil 22, VII. 556 ff., XII. 621, and Nippold, *Kirchengeschichte*, I. 410–414. The decree in Mecklenburg was directed against the dogmatic errors of a brother of Hermes, Wöllner's lieutenant. Cf. Nippold, I. 427 (third edition).

Its appearance in Prussia, the home of religious toleration, is clearly a great factor in explaining the importance attached to it by contemporaries. Had it appeared in any minor German state it would have aroused repugnance and opposition, for it invaded academic and religious life and thought, the field where the German had maintained for himself the largest degree of freedom. Its proclamation in Prussia, the most powerful and prominent German state, and the one whose whole history and much of whose material prosperity since the days of John Sigismund was intimately related to the maintenance of complete religious toleration, made it doubly alarming to the German, who in matters of religion and philosophy had found in Prussia an opportunity to exercise undisturbed his *Schreibseligkeit*. Henceforth there were to be bounds and limits beyond which he might not go. If he were an ecclesiastic, he was further shamed and aroused by the offer that he might retain his position if he would stifle his conscience and accept creeds which he and his age doubted or rejected. In this last clause is the key to the situation. The age was the age of doubt and revolution in thought, while the language and the spirit of the edict were of the essence of reaction.

No sooner had the edict appeared than the pamphleteers of all kinds gave it their immediate, undivided, and unscrupulous attention. Many of these pamphlets have fortunately perished without leaving a trace of their existence. Many more would be unknown to us if it were not for the attention given them by Nicolai's *Allgemeine Deutsche Bibliothek*—a periodical of heavy respectability, which was the chief organ of the *Aufklärung* in Berlin if not in all Germany. Its reviewer, Henke, has left us a monument of his zeal and activity in his reviews of ninety-four pamphlets on the edict and the issues involved. These pamphlets were many of them so violent that their titles alone are given, their contents being left to sink into deserved obscurity. Some of them rise to the proportion of stout volumes. Henke mentions as among the most popular one of three hundred and seventy-one pages. Some of them went through two or three editions in a few days. Henke's reviews occupy about six hundred octavo pages in two volumes of the *Allgemeine Deutsche Bibliothek*.⁵ So clear and fair in general are most of these reviews, though written from the standpoint of the *Aufklärung* for its chief organ, that one cannot help feeling that they represent the voice of the age in condemnation of the edict. Henke's own summary on the general attitude is

One may assert with certainty that in the Prussian states the largest

⁵ Vols. CXIV. and CXV. (Kiel, 1793).

and the best part, not only of the ecclesiastics but also of the learned classes in general and of all classes of men who think for themselves, have withheld their approval of most of the measures that have followed the edict. They are either disturbed or displeased by them, even though in matters of religion they are not wholly opposed to the principles and views which these measures are meant to support.⁶

The edict was not without its defenders among the pamphleteers, and though some of them by their tone merit the appellations bestowed upon them by Henke of "hired sycophants and miserable flatterers", there still remains a group representing the orthodox who felt that the situation justified such a measure as the edict. These defenders were not confined to Prussia. From ducal Saxony came words of warm approval. "Hail to the great and wise Prussian monarch", exclaims the editor of the leading religious journal of North Germany, "who in this edict, framed with as much love and moderation as wisdom and earnestness, puts a check to the terrible confusion which certain popular deistic and Socinian teachers, so well characterized in paragraph vii., have brought about under the misused name of *Aufklärung*".⁷

However, the scattered voices of the defenders of the new order were not able to quiet the alarm of those who felt themselves endangered by the new minister and his edict. Men who for decades had occupied great pulpits and had been a power in the land saw themselves exposed to petty persecution and unmerited disgrace. Some resigned at once in order to avoid such a period being put to their activities as teachers or preachers. Some boldly persisted and defended their views in protests and pamphlets.⁸

On a higher plane than the pamphlet war, which is chiefly important as an amazing revelation of the boldness and unscrupulousness of the press in Prussia on the eve of the Revolution, is the opposition made to the Wöllner measures by the Superior Consistory for the Lutheran and Catholic churches. In the framing of the new measure they had had no hand; but they did not propose to let the occasion pass without a conscientious effort to modify it, and to save what they thought was more important than creeds or doctrines—liberty of thought and scholarly investigation into truth and the distinctly Protestant right of each to accept the Scriptures as the standard of his faith and to interpret them as he understood them.

⁶ Allg. D. Bibliothek, CXIV. 77; Spalding, *Lebensbeschreibung*, p. 118, says, "Das Aufsehen bei dieser geschwinden und starken Machtäusserung des neuen Ministers war gross, aber der Eindruck davon bey dem beträchtlichern Theile des hiesigen Publicums nicht zum Vortheil der Unternehmung."

⁷ Acten, Urkunden . . . zur . . . Kirchengeschichte, I. 461.

⁸ Zeit. für Preuss. Gesch. und Landeskunde, II. 772.

It would be a pleasure, did space permit, to review the services and worth of this group of men: Spalding, Sack, Büsching, Teller, and Diterich,⁹ names which represented in the Prussia of that day the most progressive and liberal theological thought. With the exception of Büsching, the geographer and director of the Berlin-Köln Gymnasium, they were pastors of leading churches in Berlin, and all, with the possible exception of Diterich, had made a name for themselves as theological and philosophical thinkers. They were in a sense part of the Prussian bureaucracy, and Spalding, the senior member, had already passed the allotted three score and ten and felt the burden of his advancing years. But with one accord they agreed that they were called to take up the struggle for things more worth while than office. Spalding resigned his preaching position at the St. Nicolai and Marien churches in Berlin that he might not at his age be involved in petty persecutions resulting from the edict, but he retained his membership in the Consistory with the definite feeling that here, despite ill-health and his seventy-five years, he was called to perform a duty which he could not and must not shirk.¹⁰ Teller with equal frankness stated in a letter¹¹ to Wöllner that though he did not feel that he came under the category of the ministers denounced in paragraph VII. of the edict he must in justice to his conscience ask to be relieved of his duties as a preacher¹² because he "has for years in his capacity as a teacher in the church and university spoken boldly and without reserve against all mere creeds made by men who like himself were likely to err". His office and his membership in the Consistory and in the Academy of Sciences he desired to retain but, if needs be, he would give them up too. Wöllner whose intentions looked to the ultimate dismissal of these men thought that it would be better "to tolerate them for a short time".¹³

The members of the Consistory held long conferences as to what they should do.¹⁴ Sack, the Calvinist member, had already sent his superior, Dörnberg, a ringing indictment of the edict, boldly stating that for twenty years he had not taught in conformity with the letter of the creed, from which he had dissented when in 1769 he

⁹ Cf. *Zeitschrift für historische Theologie* (1859), XXIX.; Meusel, *Lexikon der verstorbenen Deutschen Schriftsteller* (Leipzig, 1815), XIV. For a character-sketch of Büsching, cf. *Archiv für die neuste Kirchengeschichte*, vol. I., heft 1, pp. 151 ff. For Diterich, *ibid.*, V. 216 ff.

¹⁰ Spalding, *Lebensbeschreibung*, pp. 113-114.

¹¹ *Zeit. für hist. Theologie*, XXIX. 44-48, under date July 21, 1788.

¹² He was at this time dean (*Propst*) of the Petrikirche in Köln (Berlin).

¹³ Preuss in *Zeit. für Preuss. Gesch. und Landeskunde*, II. 770-772.

¹⁴ Spalding, *sup. cit.*, p. 118.

became a preacher.¹⁵ Teller and Spalding, as has been said, resigned their preaching duties but held to their membership in the Consistory that they might do their part in the fight. It was agreed that they should ask the king for permission to present to him their objections to the edict.¹⁶ Despite Wöllner's opposition the king gave a grudging consent. Sack, the Calvinist member, was selected to draft the protest. It was presented on September 10, 1788.

It is not possible here to give a complete survey of these two able documents from the pen of Sack. Very simply and sincerely they point out the danger hidden in the edict, especially in paragraph VIII., which fixed the old creeds as the norms of faith. Evils are admitted. For these Sack had already suggested remedies in his *pro memoria*. But these evils are as nothing to the anticipated loss of evangelical freedom of teaching and preaching, the invasion of the freedom of conscience of whole communities, the stimulus to dissension and sectarian spirit, and the death of progressive scholarship in the field of Scriptural study. Good men and true must become hypocrites or be treated with unbecoming harshness. Error will go uncorrected and hypocrisy flourish.

It was useless. The king gave their reply no adequate consideration. He referred it to the three ministers, Wöllner, Carmer, and Dörnberg, with instructions to send the Consistory about their business. "There must not be the variation of a hair's breadth from the edict." The *Aufklärer* must be crushed. To accomplish it he was already considering further measures for the stricter censorship of the press. Wöllner was curtly told "to keep his priests in better subordination than his predecessor had done and to be governed solely by the edict, as I must hold you alone responsible".¹⁷

In the correspondence that ensued the clear unequivocal note is sounded by the Consistory. The three advisers of the king present a wavering and uncertain front. Wöllner was angry at the opposition to his pet edict and highly indignant when the Consistory presumed to criticize his German. Carmer, the chancellor, timidly approves the royal policy and seeks to explain away objections. Let us be lenient with him, for his life's work, the new Prussian Code, after many vicissitudes was approaching completion, and he did not feel free to jeopardize it by living up to the best of his thought on the subject of the edict.¹⁸ Dörnberg alone is firmly against a reproof to the Consistory and is unwilling to give instruc-

¹⁵ *Zeit. für hist. Theologie*, XXIX, 9-17.

¹⁶ The material for the following paragraph will be found in the documents published by Sack's son in the *Zeit. für hist. Theologie*, XXIX.

¹⁷ *Ibid.*, XXIX, 22-23.

¹⁸ Stölzel, *Svarez*.

tions in theology to theologians with an international reputation.¹⁹ But the reproof was framed nevertheless. The Consistory was told in direct phrases that if they had done their duty there would be no such religious condition to deal with. The Consistory had lost their fight for true Lutheranism. The creeds of preceding centuries stood now by law on a plane with the Scriptures, or rather they replaced it, for it was the Bible as presented in the creeds that was henceforth to be taught. Theirs was however the satisfaction of having done the right as they saw it. "We have done what we thought advisable and our duty. Now we can and must remain silent."²⁰

One thing they did accomplish behind Wöllner's back. Through their representations to Chancellor Carmer the king was led to publish on December 19, 1788, a sort of supplementary statement, explaining that the edict was only a church police law, in which the king had no intention of placing the church creeds on the same plane of authority with the Scriptures. It was a hollow victory, for the king when prosecutions arose under the edict insisted that it was a binding law of the state. Indeed, Frederick William II. in the next four years, in his efforts to make clear his intentions in issuing the edict and in defending himself from the, to him, unexpected implications of his decree, seemed to be helplessly struggling in the grasp of a legal Frankenstein of his own creation.

Not so his minister. Wöllner, with all the force that comes from narrowness, with all the narrowness and lack of discrimination of the petty theologian at war with the *Zeitgeist*, with all the certainty that comes from adhesion to theories based on partial views and formulated apart from the responsibilities of administration, with all the recklessness engendered by great and sudden power and the shelter of a royal name for the policies he conceived, moved on to more petty and more galling measures against the *Aufklärung* and its representatives.²¹ Now that he had embarked his pupil and brother Rosicrucian on the course indicated by the edict, it was

¹⁹ Dörnberg to Carmer, November 20, 1788, in *Zeit. für hist. Theologie*, XXIX.; Carmer replies begging him to give his signature as it is collegiate action in which even those who dissent are expected to sign. "Ueberdem fürchte ich, und kann das fast mit Gewissheit voraussehen, dass eine fernere Verweigerung dieser Unterschrift von Sr. Königl. Majestät ungändig aufgenommen werden und Ew. Excellente Unannehmlichkeiten zuziehen dürfte."

²⁰ *Ibid.*, XXIX. 43.

²¹ "Sollte sie", says Henke in summarizing an "Umständliche Anweisung" of the Immediate Commission in 1794, "von der Nachwelt für das Photometer der Brandenburgischen Geistlichkeit unsers Zeithalters gehalten werden, so würde die Nachwelt unfehlbar sehr kleine Begriffe von dieser Geistlichkeit hegen müssen." *Archiv für Kirchengeschichte* (1794), vol. I., heft III., pp. 1-28.

easy to keep him there and lead him further.²² Criticism and opposition now became defiance of royal authority, and whenever obedience to his authority was in any way involved the king is violent in his language toward the offenders and even toward Wöllner, when he suspected him of laxness in the execution of his decrees.²³ Liberty of the press became, if it aired its views of the edict, impudence of the press and the royal reply was a renewed and stricter censorship of the press, proclaimed on the same day as the king's attempt to explain the Religious Edict as an ecclesiastical disciplinary ordinance.

The Religious Edict, if it had stood alone, would have been enough to justify the deep disgust felt by contemporaries with the Wöllner régime. But that feeling found a further basis and was given wider extent by the supplementary edicts in which it was developed and applied.²⁴ Of these the edict for the censorship

²² Wöllner did not dominate the Staatsrath nor the foreign policy of Prussia. Cf. p. 520, below, and *Hist. Zeit.*, LXII, 285-286. Note the adverse vote of Prussia on the proposition to include in the *Wahlcapitulation* of Leopold II. in 1792 a prohibition on all publications against the Protestant creeds. Cf. Henke, pp. 355-392.

²³ *Allg. D. Biographie*, XLIV, 156-157.

²⁴ Most of these supplementary edicts will be found in Mylius, *Nov. Corp. Const.* (1791-1795), tomus IX. In tomus VIII., under the dates February 5 and March 31, 1790, are the edicts directing that all preachers of the Reformed Church should use the Heidelberg catechism and Hering's *Unterricht in der Christlichen Lehre* to the exclusion of all other compendiums; and a direction to all inspectors of this church as to how candidates for the ministry are to be examined. In tomus IX, the following may be cited as the most important and typical edicts or rescripts: December 15, 1791, a direction to the church inspectors to supervise the life and conduct of all preachers, teachers, and sextons, and to see to it that the preachers send in copies of sermons that they preach on the text to be set for them by the inspectors; March 13, 1792, directions to the Consistory on the method of examining candidates for the pulpit after they have been certified by the Immediate Commission established in the preceding November; July 12, 1792, edict requiring the use of the manual *Die Christliche Lehre in Zusammenhang*. This was a Lutheran catechism put forth nominally by Hermes but the real author of it was Diterich, a member of the Consistory, who now repudiated it as a youthful production he had long considered inadequate. On the struggle over the introduction of this catechism between its author and his colleagues, on the one hand, and Wöllner, on the other, cf. Spalding, *Lebensbeschreibung*, pp. 121-124, Preuss in *Zeit. für Preuss. Gesch.*, II, 770 ff., Sack in *Zeit. für hist. Theologie*, LII, 423 ff. The idea of such a catechism had been taken up by the king in 1789 and the manuscript submitted to the theological faculty at Halle whose reply was "dass das vorgelegte Ms. keine einzige der Eigenschaften an sich habe, die ein allgemeiner Landescalechismus fordere." Cf. *Acten, Urkunden . . . Kirchengeschichte* (1788), pp. 421-452. This matter of reforming catechisms, song-books, etc., was not peculiar to Prussia as may be seen by examining the files of the *Acten, Urkunden . . . Kirchengeschichte* for the years 1788 to 1792. Further edicts are those of March 21, 1793, May 13, 1793, and June 20 and July 4 of the same year, and in 1794 under date of April 14 a very important "Rescript vom Verfahren gegen die neologischen Prediger und Uebertreter der Religions-Edicts", also February 20, May 1, and November 6.

of the press has seemed on the whole the most important and is reserved for an extended treatment later. It is sufficient here to remind ourselves that though censorship of the press was not new to a Prussia just out from under the absolutism of Frederick the Great, the censorship of Frederick,²⁵ with its chief interest in directing discussion away from political topics, was in spirit and intent not the censorship of Wöllner, which through the activity of such creatures as Hermes and Hillmer²⁶ was interfering with the printing of books and pamphlets in theology and philosophy—fields of thought dear to the German thinkers and writers—two groups not entirely identical as one may convince themselves by dipping into the pamphlet literature of that day.

As a result of the renewed censorship of the press the German public saw the great organ of the *Aufklärung*, Nicolai's *Allgemeine Deutsche Bibliothek*, forced to move to Hamburg by the activity of Wöllner, hitherto one of its chief contributors. The local publishers and authors were annoyed and exasperated by the method and spirit in which manuscripts were examined, blue-pencilled, and even rewritten by the censors. The book-dealers who would import from the great markets like Leipzig found their shipments examined for contraband works. Teachers, preachers, and university faculties were spied upon, and silenced far less by successful prosecution than by the spectre of government interference. Of the former there was as far as I know but one, but the pressure was felt by the nobler minds like Kant and Fichte. The former saw his books forbidden and his university lectures disapproved. High-spirited but even-minded, he turned to other fields of thought and awaited the death of Frederick William II. to resume his lectures and literary activity in the field of religion and morals.

Besides the renewal of the censorship of the press—in itself more exasperating than efficacious—the Wöllner régime of reaction sought to make itself effective by a long series of supplementary

In 1795 there are two edicts having to do with the use of the new catechism and the subject of theological education, under date of June 14 and August 13. Special directions to the clergy in 1795 and 1796 emphasizing the importance of teaching the nature and sacredness of an oath are to be found in Henke, *Archiv, etc.*, IV. 765, and V. 166. For material on the censorship of the press under the Wöllner régime it is sufficient here to refer to the documents in *Archiv für Gesch. d. Buchhandels*, IV. and V., and Consentius's articles in the *Preussische Jahrbücher*, CXVII.

²⁵ Cf. Preuss, *Friedrich d. Grosse*, I. 138, III. 249 ff.; Pigge, *Religiöse Toleranz Fr. d. Grossen*, pp. 68-75.

²⁶ On Hermes and Hillmer, cf., besides the general accounts of the reign, Grünhagen, *Zeit. für Gesch. u. Altertum Schlesiens*, XXVII. 22-23, and *Publicationen aus den K. Preuss. Staatsarchiven*, "Preussen und die Katholische Kirche", VI. 160-161. They had formerly been Herrnhuter. Cf. Nippold, I. 431, 434.

edicts dealing with the reform of the catechism and religious instruction in the schools,²⁷ by the institution of a special (Immediate) Commission not controlled by the Consistory, which should examine candidates for the pulpit,²⁸ and by the promulgation of the so-called *schema examinis candidatorum*, outlining the sort of tests which prospective candidates for the pulpit must undergo and inferentially compelling university readjustments if its requirements were to be met.

The theological faculty of Halle, which lived and worked in the traditions of such men as Thomasius, Wolff, Semler, and the radical Bahrdt, were soon in conflict with the Religious Department on account of their inclinations toward liberal views. Men like Nösselt and Niemeyer refused to change their methods of teaching at the direction of such theologians as Wöllner, Hermes, and Hillmer. When in the summer of 1794 the latter two dropped into Halle on an investigating tour a certain marked uneasiness on the part of the student body led them to leave town in haste and send back their directions from a safe distance. The faculty maintained a dignified disregard of the avalanche of rescripts from the Religious Department and, on an appeal to the king, were upheld by the Staatsrath, Wöllner dissenting, and told to make their own teaching rules and disregard those of Wöllner's commissioners.²⁹ With the exception of Silesia, where there is no trace of its enforcement and where none of the supplementary edicts, not even that on the censorship of the press, was published,³⁰ Brandenburg-Prussia, especially in the cities and university centres, felt some of the effects if not the full force of the Wöllner régime. East Prussia, according to Philippson, was almost as unaffected by the edict as was Silesia. Though there is no basis on which one may estimate, as does Philippson, that three-fourths of the clergy paid no attention to the edicts and efforts of Wöllner, one must admit that the evidence he presents of the indifference, sullen acquiescence or open defiance on

²⁷ Cf. n. 24, p. 518, above, and Heigel, *Deutsche Geschichte*, I. 77; Henke, *Archiv*, etc., I. 391-429.

²⁸ Composed of such men as Hermes, Hillmer, and Woltersdorf. Silberschlag, who was a member for a short time, though a frequent defender of Wöllner in the Consistory, was a man of a far higher type than the three first named. On this commission, cf. *Zeit. für hist. Theologie* (1862), pp. 430-437; Philippson, *Gesch. d. Preuss. Staatwesens*, I. 343; Geiger, *Berlin, 1688-1840*, II. 11; and *Zeit. für Gesch. u. Altertum Schlesiens*, XXVII. 21.

²⁹ Preuss in *Zeit. für Preuss. Gesch.*, II. 768-769. One of the rescripts telling the Halle faculty how and what to teach will be found in Henke, *Archiv*, etc., IV. 1-5. The editor adds that he refrains from commenting on it as he has not those hundred ducats handy with which to pay fines.

³⁰ Cf. article by C. Grünhagen in *Zeit. für Gesch. u. Altertum Schlesiens*, XXVII. 23-24; also Berlin Archives, Rep. 9, F. 2, a.

the part of the great mass of the clergy strongly supports the opinion already expressed, that the effect of the efforts of the minister and his supporters is more clearly shown in the disgust and opposition that they aroused than in any change in the conditions at which they were directed.³¹ The sturdy independence of the judges and the administrative officials and the willingness of capable lawyers to undertake the defense of offenders still further tied the hands of Wöllner. Publishers and pamphleteers continued to bid defiance in a most scurrilous manner to all the efforts of the censors, Hermes and Hillmer.³² The words of the latter in 1791 are most significant in this regard. "We are considered all powerful but we have not been able to oust a single neological preacher."³³

It would unduly prolong this chapter if space were taken to excerpt and analyze the supplementary edicts but it must be clear to the reader as it is to the investigator that they furnish important material for the correct understanding of the policy of the author of the Religious Edict. That edict must be interpreted in the light of the succeeding measures which sought to apply it in detail. Its author might, if judged by that edict alone, claim indulgence on the basis of the liberal sentiments expressed in its opening paragraphs and the ambiguities of its phraseology at other points. But when he follows it up by a group of enforcing measures which seek by petty regulation to limit or direct thought and teaching in schools of all grades and in the pulpits of the two great branches of the Reformed Church in Brandenburg-Prussia, he betrays himself utterly. It is *ex pede Wöllnrum* everywhere. The man and his measures cannot be separated for the measures are mounted in a setting of official correspondence—fawning and hypocritical when directed to his royal master,³⁴ truculent and abusively denunciatory when prepared in reply to the clear and thoughtful protests of the Consistory and the university faculties who cared less for their place and their office than they did for clear consciences and freedom of thought.

Behind Wöllner stood Frederick William II. With a certain doggedness that was characteristic and worthy of a better cause, the king clung to his minister and his minister's policy. They become by that very fact more distinctly than by his putting his signature

³¹ Cf. Philippson, vol. II., ch. II.

³² L. Geiger, *Vorträge und Versuche* (Berlin, 1890), ch. XIII.

³³ Nösselt, *Leben*, p. 61. Quoted in *Zeit. für Gesch. u. Altertum Schlesiens*, XXVII. 23.

³⁴ For examples of the fulsome flattery Wöllner lavished on the king, cf. Stölzel, *Svarez*, page 256, note 2. His language to the Consistory is to be found in the Sack papers in *Zeit. für hist. Theologie*, *sup. cit.*

to them his measures. The ideas, originally Wöllner's, had become the king's by their early relations as teacher and pupil, by their associations in the Rosicrucian Order, and by their joint interests now, as minister and sovereign, in combating the tide of irreligious and revolutionary thought.³⁵

The tenacity with which the religious policy was adhered to by the king stands out even more emphatically when it is recalled that its development and execution were parallel with the consideration of questions of foreign policy affecting the whole future of the Prussian states—the Dutch war, the abandonment of the Fürstenbund, the Hertzberg alliances and exchange schemes, the complications with Austria leading in July, 1790, to the treaty of Reichenbach and through that ultimately, in 1791 and 1792, to a closer alliance with Austria in view of the Polish and French situation. It is, indeed, the upheaval in the latter country that strengthened the king in his policy of internal reaction. The experience of Louis XVI. with the obstreperous parliaments was in the king's mind in dealing with the protests of the Superior Consistory. He did not intend, he said, that they should play the rôle of a parliament in the Prussian state.³⁶ Recalcitrant subjects violating the Edict of Religion and that on the censorship of the press appeared in a different light when France seemed to be reaping the results of eighteenth-century irreligion and irreverence for old beliefs and old dogmas—political and religious.

The danger in Prussia of any such movement as that in France is not conceivable. The prosecutors of the king, however, did not fail to cite dangerous political utterances in the case of at least one violator of the Religious Edict.³⁷ The Consistory indignantly denied any intention of playing the rôle of a French parliament. The opposition, then, to the Wöllner régime did not take the form of political agitation except in the sense that what are political and social rights in the vocabulary of one people may be represented in the language of another people by freedom of religious thought and teaching; and the agitation in their defense is the equivalent of political activity in another land. Far more significant from the standpoint of Prussian history was the quiet but persistent check on the king and minister to be found in the stubborn unwillingness of the

³⁵ The bold but considerate judgment of Teller on Frederick William II. is interesting in this connection. Cf. *Predigt zum Gedächtniss Friederich Wilhelm II.* (Berlin, 1797), pp. 8-9.

³⁶ Letter of the king to Carmer, June 11, 1792, in *Zeit. für Preuss. Gesch.*, III. 70-71.

³⁷ In the trial of Schulz, 1791-1792. Cf. Amelang, *Vertheidigung*, pp. 92 ff., and Volkmar, *Religionsprozess*, etc., p. 20.

courts and bureaucracy, including in these the clergy itself, to fall into line with the new policy.³⁸

Opposition and agitation seemed to savor of revolution and against such manifestations in his own lands he was determined to act with severity.³⁹ It is when in the spring of 1794 the whole Wöllnerian régime of edicts, inspections, and commissions seemed breaking down that this characteristic of the king makes him the real leader. The sovereign in him could not brook the inefficiency in execution that Wöllner and his subordinates exhibited. The unchecked tide of liberal thought in the press, pulpit, and universities, the independence of the courts and the tactics of the Consistory in the trial of the boldest of the violators of the Religious Edict and the confession about the same time by the Examination Commission that they could effect nothing, put the king, already harassed by the course of affairs in Poland and the dissensions with the English over the campaign against the French, into a fine fury of helpless wrath. New edicts were showered upon the bureaucracy, proving by their numbers the inefficiency of preceding efforts, not, as Nippold contends, their power and effectiveness. The instigator of the system was called sharply to account for his futility in making the king's will effective. Wöllner was deprived of the office of director of public buildings that he might "dedicate himself wholly to the cause of God" and a little later (March, 1794) in an autograph letter from the king outlining new forms of activity, including the calling of Kant to account, he was curtly informed that "this disorder (*Unwesen*) must be absolutely checked; until then we shall not again be friends."⁴⁰ Wöllner's activity as the result of this secured neither success for the decrees nor a complete restoration to the king's favor.

The untimely and unnatural character of the whole reactionary effort is shown not only by the failures recorded above but by the

³⁸ When this independence of the officials in the matter of the religious policy of the king is considered in conjunction with the open criticism of his war policy in 1794 by a clique in the army, it throws an interesting light on the weakness of the king's control over the two chief supports of the Prussian monarchy. Cf. Ford, *Hanover and Prussia* (New York, 1903), pp. 61, 68, and 72, and Cavaignac, *La Formation de la Prusse Contemporaine*, I. 211.

³⁹ Berlin Archives, Rep. 9, F. 2, a, contains interesting edicts of February 1 and June 30, 1792, directed against revolutionary agitation. For further evidence of the king's distrust of the masses, cf. Lehmann, *Stein*, I. 161.

⁴⁰ Bailleu in *Allgemeine Deutsche Biographie*, XLIV. 156-157. Wöllner had further compromised his standing with the king by his opposition to the whole policy of the French war. Cf. a memoir of his on the foreign policy of Prussia in October, 1794, referring to his attitude and the king's displeasure in *Hist. Zeit.*, LXII. 285-286.

immediate fall of Wöllner and his henchmen on the accession of a new sovereign.⁴¹

Frederick William II. died on November 16, 1797, and his high-minded and clean-hearted son and successor, Frederick William III., after having purged the Augean stables of the Prussian court addressed himself almost immediately to checking any further activity on the part of Wöllner, Hermes, and Hillmer. Wöllner, who had the effrontery to assume that the new sovereign would allow him to twist his utterances into an approval and renewal of the Religious Edict and its supplements,⁴² was overwhelmed by a crushing reproof. The king, after denying that any of his official utterances were meant to indicate an intention to enforce more strictly the edict, refers Wöllner to the example of one of his predecessors (Münchhausen), who had every reason to trust his own judgment and yet always consulted his qualified subordinates, of which Wöllner is reminded there is no lack in his department. The king then proceeds:

In his [Münchhausen's] day there was no Religious Edict but more religion and less hypocrisy than now, and the Religious Department stood higher in the eyes of Germans and foreigners. Personally, I reverence religion and carefully obey its blessed precepts and would not for worlds rule over a people who had no religion. But I know also that it is and must remain an affair of the heart, of the feelings, and of individual conviction and may not be debased into a senseless mummary by methodical compulsion if it is to further virtue and righteousness. Reason and philosophy must be its inseparable companions, then it will stand by itself without the need of the authority of those who would presume to force their creeds upon future ages and prescribe to coming generations how they should always think. If in the management of your office you act according to genuine Lutheran principles which are so wholly in consonance with the spirit and teachings of their founder, if you see to it that the pulpits and teachers' desks are occupied by upright and capable men who have advanced with the knowledge of the day especially in exegesis without attaching themselves to dogmatic subtleties, you will soon see that neither mandatory laws nor admonitions are necessary in order to maintain true religion in the land and to extend its beneficent influence over the happiness and morality of all classes.⁴³

⁴¹ The brother of Frederick the Great, Prince Henry of Prussia, Wöllner's former employer, records his opinion of the régime in a letter to Count Henckel in 1791. "[Ich] sei Glücklich nichts von Berlin, Potsdam, Friedrich Wilhelm, König Bischoffswerder und König Wöllner zu hören." Cf. Graf Henckel, *Briefe der Brüder Friedrichs des Grossen* (Berlin, 1871). Quoted by Grünhagen in *Zeit. für Gesch. u. Altertum Schlesiens*, *sup. cit.*

⁴² Royal order of November 23, 1797, and Wöllner's interpretation of it, dated December 5. Letter of Göckingk to Benzler in *Zeit. für Preuss. Gesch.*, XIV. 67, and Volkmar, *infra*.

⁴³ L. Volkmar, *Religionsprozess des Predigers Schulz* (Leipzig, 1846), pp. 327-328. The author of this state paper was Bismarck's maternal grandfather, Mencken. Cf. Hüffer, *Anastasius Ludwig Mencken* (Bonn, 1890), p. 18. Hüffer

The new king had already (December 27, 1797) restored to the Consistory its control over the affairs in its charge before Wöllner's activity began. Piece by piece the whole elaborate structure of edicts, commissions, and catechisms fell to the ground. The discredited minister clung to his office for three months after the king's disapproval had been visited upon him. On March 11, 1798, he was dismissed without the pension he asked for and without hope of ever holding the least office under Frederick William III. A little more than two years later a grave on his estate at Gross Reitz closed over the fallen leader of one of the most extraordinary reactions in the political and religious history of Prussia.⁴⁴ None was left to bear his name or share the opprobrium heaped upon it by contemporaries and echoed anew by each historian of the reign of Frederick William II.

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dates it January 12. Mencken and Svarez, the new king's tutor and one of the greatest legal minds in Prussian history, represented the best traditions of Prussian bureaucracy throughout the trying years of Frederick William II's reign. For Svarez, cf. Stölzel's biography, one of the most suggestive books in the whole range of German historical writing. Also Dernburg, *König Friedrich Wilhelm III. u. Svarez*, a rectoral address delivered at Berlin in 1885.

"Nippold (*Kirchengeschichte*, I. 432) contends that the Berlin bureaucracy has in ecclesiastical matters never escaped from the influence of the Wöllner régime.

THE CONTEST FOR THE LAWS OF REFORM IN MEXICO

IN 1873 there was consummated in the City of Mexico the final act which marked the end of the long and bitter contest for the complete separation of the Church and State in that republic. The triumph of the Liberal party which championed that separation was really attained in 1861; but the tripartite intervention of France, England, and Spain, the Napoleonic-Maximilian régime, and the era of disorder which followed, had postponed the incorporation of the so-styled *Laws of Reform* as amendments to the federal Constitution as a part of the organic law until 1873.¹

The same year marked the final act of the government in the enforcement of these laws. In 1861, on the re-establishment in the capital of the Liberal government under President Juarez, the separation of the Church and State was made effective, the Church property not used for parochial purposes was confiscated and sold, the monasteries were closed, the civil registration of births, marriages, and deaths, and the other provisions of the *Laws of Reform* went into operation. The only exception made was in allowing the Sisters of Charity to remain in the pursuit of their avocation of mercy; but now that the laws had been incorporated into the Constitution, it was felt by the leaders of the Reform movement that consistency required that no exception should be made, and orders were issued to close the nunneries and require the Sisters to cease their monastic life.

Soon after my arrival in the country my good offices were invoked, in the absence of a diplomatic representative of France (to which country most of the Sisters belonged), to act as their friend and interventor with the government in making their departure more easy. I was also brought into personal contact with many of the prominent participants on both sides in the contest which raged in the press, in the forum, and on the field of battle during the years preceding 1861, and I became deeply interested in the questions so hotly fought out and finally settled. It may be a matter of some interest, after the lapse of half a century and more, to recall some of the salient features of that contest, which had such an important influence on the destinies, not only of Mexico, but of all the countries of Latin America.

¹ For the text of the amendments, see *U. S. Foreign Relations*, 1874, p. 714.
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The spirit which largely influenced the occupation and conquest of Mexico by the Spaniards was their devotion to the Church. The Cross was inscribed on their banners, and the conversion of the natives was carried out with pious zeal. Throughout the Spanish domination the Church and State were indissolubly bound together, and the Holy Catholic Church held universal sway over the hearts and consciences of all the people. When the independence was achieved and the Mexican nation was established, the same close relationship between the Church and State was continued. The Plan of Iguala, under which Iturbide declared the independence of Mexico, announced that it was "animated by no other desire than to preserve the holy religion which we profess", and it established as the first of the three solid bases of the new government "the Apostolic, Roman Catholic religion, without the tolerance of any other".² From 1821 to 1857 through all the revolutions and many changes of government every national constitution contained a similar provision.

The movement which brought about the separation of the Church and State and which so completely changed the social and political order of this devoted Catholic country, did not begin with a definitely framed programme, but was an evolution of ideas developed in the long series of revolutions and violent changes of government which for so many years after its independence distracted the country, and in which the clergy so often played an important part. The first step in the Reform or Liberal movement was taken in 1833.

In that year Santa Anna for the first time in his checkered career became President of the Republic, and Valentin Gomez Farias Vice-President. The latter saw more clearly than any of his contemporaries the needs of the nation and the obstructions to its pacification and advancement. He was a man of superior education, a diligent student of French history, of advanced liberal views, and had already participated prominently in public affairs as governor of his state and as a representative in the federal Congress. He had carefully noted the spirit of the clergy, their opposition to general education, and their attachment to a monarchical form of government, or whatever military dictatorship would protect them in their franchises and power. He saw that while they possessed a very large part of the property of the country they contributed little to its pecuniary support, and that the monasteries and orders were fast absorbing the capital and land of the people.

Santa Anna spent much of his time at his country estate or was absent engaged in military campaigns against his rivals, and left the

² For the Plan of Iguala, see Alaman, *Historia de Méjico*, vol. V., app. vi., p. 6.

civil administration of affairs to the Vice-President. The latter procured the passage by Congress of laws abolishing the compulsory payment of Church tithes and monastic vows, suppressing the privileged University and College of Saints, reforming the career and methods of public instruction, and otherwise restricting the power and influence of the clergy.³ These measures at once created a storm of opposition throughout the country known by the party cry of "Religion and Privileges" (*Religion y Fueros*). A body of advanced Liberals, bold and far-sighted public men (known as *El Partido Yorquino*),⁴ gathered around and supported Gomez Farias, but the storm of indignation was too strong to be overcome. Santa Anna was called back to the capital by the clergy, Gomez Farias was deposed, and the Congress which passed the odious laws was dissolved.

These and the following years of Mexican history are a sad recital of revolutions, pronunciamientos, and conspiracies, of civil war, fratricidal strife, and bloody contests. As a statesman and historian of that country expresses it, "the mind is lost and the memory confounded with so many plans and pronunciamientos"; or as another writer describes it, "every year a new ruler, every month a revolt."⁵

The war with the United States of 1846-1847 brought about the second attempt to restrain the influence of the clergy and force the Church, out of its great wealth, to contribute its fair share to the national defense. A strange coincidence marked this period. After repeated changes of government and various vicissitudes of power and defeat, Santa Anna was again at the head of the nation, and, although of utterly different political views, Gomez Farias was again his Vice-President, both having in the meantime and for different causes been driven into exile. A Mexican historian, commenting on such events, remarks:

Everything is very possible in the civil wars. Men ascended to power, fought battles, were overthrown in campaigns, wasted their prestige, their revenues, and everything; were lost, made a journey to Europe and after a time returned, and again seized the government or were elevated to it by their partisans and perhaps by the very party which overthrew them.

While Santa Anna was on his campaign against General Taylor,

³ Alaman, *Historia de Méjico*, V. 861; Zamacois, *Historia de Méjico*, vol. XII., ch. 1.

⁴ Alaman, *Historia de Méjico*, V. 869. As to the influence of the Masonic order in Mexico, see *ibid.*, V. 58.

⁵ Gustavo Baz, *Vida de Benito Juarez*, p. 38.

which resulted so disastrously at Buena Vista, Gomez Farias was left in charge of the executive power. In this capacity he was straining every nerve and resorting to every possible means to provide resources with which to resist the northern invaders. Congress had authorized a loan of two million dollars, but it was impossible to effect it, and all classes were oppressed with the burden of extraordinary war taxation—all classes, with a single exception. The clergy or the Church had up to this time escaped taxation, notwithstanding the fact that it had immense capital invested and was the owner of real estate to the value of hundreds of millions of dollars, held in its own free right or in mortmain. Driven to bankruptcy and unable to support the army in the field or to send new levies to resist the American forces advancing under Taylor or besieging Vera Cruz under Scott,⁶ after a long and animated debate,⁷ Congress authorized the government to effect a loan of fifteen millions of dollars by the hypothecation of the Church mortmain and other property not used directly for religious purposes, and upon failure to effect a loan then to sell so much of said property as was necessary to raise the amount stated.

The passage of this law at once set the entire body of the clergy and their political partisans at open war with the government. Excommunications were levied against Gomez Farias and all who should seek to execute the law,⁸ and conspiracies were formed and movements to overthrow the existing authorities broke out all over

⁶ In his letter to the clergy, appealing to them to contribute to the loan of two million dollars, the Secretary of Finance wrote: "It was no exaggeration to say that the government was without a single dollar to resist the enemy who with gigantic strides was advancing to the centre of the Republic."

The Secretary of the Interior in his circular to the governors respecting the loan, said: "The government has found it necessary to choose between the imposition of forced loans, which under other circumstances would be repugnant to it, and the horrible spectacle of our army dead, not by the infamous invaders, but by hunger." *Méjico a Través de los Siglos*, by Riva Palacio and others, IV. 508.

⁷ The session of Congress for the final consideration of the bill began on January 7, 1847, and continued without intermission or recess till Sunday morning, January 10, when at 10 o'clock the final vote was taken. The periodicals of the day give detailed accounts of this extraordinary session. At midnight, January 9, after an uninterrupted sitting of about sixty hours, it is said the Chamber presented a solemn spectacle, feebly lighted, with the members many of them asleep in their chairs, and others standing about in groups, all exhausted with their long labors, struggling against their fatigue, and from time to time answering to the roll-call. *Ibid.*, IV. 602.

⁸ The government encountered great embarrassment in the initial steps to give effect to the law. Rather than proclaim it, the first and second alcaldes of the capital resigned, but the third alcalde, Juan J. Baz, an intrepid Liberal, assumed the responsibility. For the text of the law, see *ibid.*, IV. 603.

the Republic. A pronunciamiento was promulgated in the capital itself and for twenty-three days the revolution was carried on in the city; the streets, barracks, and public buildings witnessed an artillery and musketry conflict; and riot, bloodshed, and fearful havoc reigned. Finally, the Clerical party triumphed, Gomez Farias was driven out of office, Santa Anna was recalled from his campaign, the odious law was repealed and the Church property was saved. This occurred at the very time that the Mexican army was fleeing from Taylor after the battle of Buena Vista and while Scott was bombarding Vera Cruz. Such a scene is rarely witnessed in any country, and it is best that I should allow a Mexican historian to comment upon these events:

The foreign enemy had penetrated as far as the borders of San Luis and General Scott had appeared before the harbor of Vera Cruz with a formidable squadron. The country was in danger, and, it is sad to say, very few in those moments of supreme trial had the holy abnegation of heroism. The Vice-President and his adherents were seeking resources everywhere: Congress had authorized them to put into the field the national guards; but the clergy were conspiring meanwhile to save the fifteen millions of dollars in exchange for the ruin of the country, and those who had expended so much in stirring up revolts and in buying the consciences of the public officials—those whose coffers were overflowing with money and who could have accomplished everything by their influence and prestige, had for their dying country not a farthing nor a moment of pity, and the money which ought to have been used to defend the independence was spent in bribing the chiefs of the national guards who ought to have gone to the aid of Vera Cruz, blockaded by the foreign foe, and the monks, whose prayers ought to have been raised in behalf of the homeless families, the orphans, and the widows left by that terrible war, were engaged in embroidering robes for the subvertors of the public order, and there were cowards who employed the arms which the nation had entrusted to them for its defense in assassinating their brothers and filling the capital of the Republic with mourning.

It is scarcely possible to make public those scenes; the conscience rebels, the heart bleeds at the remembrance of these days of mourning and of shame. . . . Fifteen millions of dollars and desire for vengeance against the law weighed more in the minds of those men than the country, the public calamities, and the national honor.⁹

This severe judgment has come to be recognized by the great mass of intelligent Mexicans as not unjust or overdrawn. When it is remembered that this revolt was only one of several insurrections against the government which occurred during the war between the United States and Mexico, it is hardly to be wondered at that Gen-

⁹ Baz, *Vida de Benito Juarez*, p. 46.

eral Scott could with only 10,000 men march into the valley of Mexico, capture the capital, and dictate terms of peace.¹⁰

The sad results of the American war were not destined to teach the country the necessity of peace and constitutional order whereby to recover its exhausted resources. Santa Anna, who before the close of that war had left the country with the execrations of almost the entire nation, had again returned to disturb the peace, once more to seize the reins of government, and establish a most tyrannical dictatorship. But the cup of his iniquity was almost full, and the beginning of the end of Mexico's dreary journey on the road towards genuine republican independence was approaching. Its realization was still a long way off and the goal was only to be reached through even more terrible experiences of carnage and suffering than had just been witnessed, bad as they had been; but the Liberal party was beginning to realize what were the reforms necessary to enable the nation to enter upon the true path of constitutional and stable government, and were preparing to undertake the arduous task.

An entire generation had passed since the country began its independent existence and it seemed to have been one constant succession of disorder and anarchy. But in spite of all this the nation had made some progress. Education was beginning to be disseminated

¹⁰ For events of 1847, see *Méjico á Través, etc.*, vol. IV., bk. II., ch. xv.; *Zamacois, Historia de Méjico*, vol. XII., ch. vii.

Lucas Alaman was one of the first of Mexican statesmen, a man of much culture, endowed with a strong intellect, of aristocratic family, a zealous patriot of strong conservative tendencies, inclined to a monarchical government, of sincere piety and devotion to the Church. His *Historia* is one of the most classic productions of the Mexican nation. It ends just before the war with the United States, but the author lived through the turbulent scenes of that period and died in 1853, the year before the Liberal Plan of Ayutla was promulgated. The closing paragraph of his *History*, which I quote, gives his gloomy forecast of his country's future:

"Mexico will be undoubtedly a prosperous country, because its natural resources are adapted to make it such, but it will not be for the races which now inhabit it. As it seemed destined that the peoples which settled it at different and remote times in the past should disappear from its surface, leaving scarcely a memory of their existence; as, also, the nation which built the edifices of Palenque and the others in the peninsula of Yucatan which are so greatly admired has been destroyed, and no one knows what it was or how it disappeared; as, also, the Toltecs perished at the hands of the barbarian tribes from the North, and there remains no trace of them save the pyramids of Cholula and Teotihuacan; and as, finally, the ancient Mexicans fell under the power of the Spaniards; . . . so, in like manner the present inhabitants will be destroyed, and though they may not secure the compassion they deserve, yet at least there may be applied to the Mexican nation of our days the lines of a famous Latin poet [Lucan] who said of one of the most illustrious characters of Roman history [Pompey]: '*Stat magni nominis umbra!*'" Alaman, *Hist. Méj.*, V. 954.

among the better classes. The participation of the people in government, imperfect as it had been, and even the terrible civil wars, had quickened their intelligence and elevated the masses somewhat from the degradation in which the Spanish rule had left them. The opening of the ports to commerce (closed under the viceroys), the introduction of foreign capital, and intercourse with the outside world, had awakened a spirit of inquiry and investigation and were enabling the more intelligent to compare their wretched condition of society and government with that of their more fortunate neighbor, the United States, and of Europe. These influences were giving increased strength to the Liberal party. It was apparent that a radical reform must be entered upon before the country could enjoy the genuine fruits of republican government. Up to this time little attention had been given to the education of the people, which the clergy maintained should be subject to their control. There had been no real freedom of the press. Personal rights and liberty, although usually guaranteed in the organic codes, were violated with impunity, and executions, imprisonments, and exile without even the forms of law were ordinary occurrences. The privileged classes had not been abolished, the clergy and the military enjoying special prerogatives and being exempt from the jurisdiction of the ordinary tribunals. Immigration was prohibited except to adherents of the Catholic faith. Religious toleration did not exist. The Church was possessed of a vast amount of capital and real estate, filled the land with its religious orders, and was exempt from taxation even on its secular property. Not content with these privileges, it insisted upon controlling the government, and all rulers who were not in accord with its purposes were soon driven from power. Under Santa Anna's last régime the military despotism, clerical domination, and outrages upon the rights of the citizen reached their culmination; and the moderate and radical parties united to overthrow the dictator and seek a thorough reform in the system of government. This movement, inaugurated in 1854, is called the revolution or Plan of Ayutla and had for its chief leader General Alvarez¹¹ of Guerrero, one of the patriots of the war of independence, a soldier of Morelos who was the greatest military genius and one of the ablest and best of the revolutionary heroes. Next in prominence to Alvarez in this movement was General Ignacio Comonfort, who was destined to play an important rôle in the events to which it gave rise. The Plan

¹¹ For a sketch of Alvarez, see Rivera, *Los Gobernantes de México*, II. 477; *Méjico á Través*, etc., IV. 826; Dublan y Lozano, *Legislación Mexicana*, etc., IX. 310.

of Ayutla,¹² which is considered the formal beginning of the Reform movement, triumphed in 1855, and Santa Anna left the country never again to return except as a private citizen. General Alvarez was made provisional President and immediately issued a proclamation for the election of delegates to a national congress,¹³ as he expressed it, "for the purpose of reconstructing the nation, under the form of a popular representative democratic republic", which was the chief basis or provision of the Plan of Ayutla.¹⁴

As already stated the parties who had achieved the triumph over Santa Anna were composed of two elements, the moderate or conservative and the radical republicans, and President Alvarez had called to his cabinet two representatives of each of these elements—Comonfort and Lafragua, Juarez and Ocampo. While the Constitutional Congress was being elected and constituted, two measures were agreed upon by the new government which indicated something of its spirit and were the first steps towards the realization of the principles of reform. The first was known as the Law Juarez,¹⁵ which abolished the privileges and exemptions of the clergy and military, suppressed the whole system of class legislation, and secured the equality of all citizens before the law. While the great mass of the nation were inclined to accept this as a wise and necessary measure, the clergy and the remnants of the regular army rose in rebellion at the old cry of "Religion y Fueros", and a formidable revolution ensued; but fortunately the government was able to suppress it.

¹² For the text of the Plan of Ayutla, see Zarco, *Historia del Congreso Extraordinario Constituyente de 1856 y 1857*, I. 12; as modified at Acapulco, p. 14.

¹³ For the text of the proclamation, Zarco, *ibid.*, I. 19.

¹⁴ Soon after the new government was organized, the diplomatic corps presented its felicitations to President Alvarez. A noticeable feature of this ceremony was the absence of the minister of the United States, General Gadsden, who asked for and was granted a separate audience, in which he expressed the sympathy of the United States for the new movement. A Mexican historian's comment was that his words "plainly showed that the United States was influenced by a spirit very different from that which animated the rest of the diplomatic corps respecting the interior policy of Mexico, as later events proved". *Méjico á Través*, etc., V. 78.

¹⁵ For the text of Ley Juarez, see Zarco, *Hist. Cong.*, I. 140. The discussion in the Constituent Congress follows, up to page 182, when the law was approved. The historian of the Congress, Sr. Zarco, in recording this action, writes: "Thus was approved, by an almost unanimous vote of the national representatives, the suppression of the privileges (*Fueros*), a reform their action upon which was looked forward to with anxiety, and which henceforth constitutes one of the bases of the future constitution." *Méjico á Través*, etc., V. 131; Baz, *Vida de Juarez*, p. 94; Zamacois, *Historia de Méjico*, XIV. 127.

The second of these measures was known as the Law Lerdo,¹⁶ also taking the name of its author, one of the most able and popular of the radical leaders of that day and brother of the distinguished statesman who succeeded Juarez to the presidency in 1872. This law provided for the compulsory sale by the Church of its lands to such of the tenants as could purchase or to other persons, the proceeds, less a government tax of five per cent., to be invested by the Church on perpetual mortgage for its own uses. It was not a confiscation, its object being to secure a greater number of landed proprietors and modify the clerical influence in civil affairs. It was shorn of much of the force designed by its author, on account of the conservative influence and timidity of the compromise government, and was regarded by the radicals as only a half-way measure, but it was sufficient to again arouse the clergy, who hurled excommunications against all who enforced the law and purchasers under it. By their instigation a fierce discord was stirred up within the administration, and a new rebellion broke out, but was put down. But these disorders and the bitter dissensions within the government circles led to the resignation of President Alvarez;¹⁷ he was a sturdy old patriot, but at his advanced age he could no longer endure the harassing cares of office and he transferred the power to General Comonfort, who was more acceptable to the Conservative and Clerical parties.

Meanwhile the Congress to frame a new constitution upon the basis of "a popular representative democratic republic" had assembled in 1856 and was found to be composed in the majority of radical or Reform republicans, but embraced among its members some able representatives of the Conservative party. It was organized by the election of Gomez Farias as its President, the first apostle of the Reform movement, who in his old age and as the last and crowning act of his stormy life was to sign this great charter of

¹⁶ For the text of *Ley Lerdo*, Zarco, *Hist. Cong.*, I. 597; for the discussion in Congress, *ibid.*, I. 597-615; for its effects, *Méjico á Través*, etc., V. 150-153; Rivera, *Historia de Jalapa y las Revoluciones*, etc., IV. 665; Zamacois, *Hist. Méj.*, XIV. 299; Baz, *Vida de Juarez*, p. 103; a temperate letter of the Archbishop of Mexico to the President, opposing the law, Garza y Ballesteros, *Lázaro de la Contestaciones*, pp. 3-54.

¹⁷ On his way to his mountain home in Guerrero, after his resignation, he wrote a private letter to a friend vindicating his conduct as president, which a historian of the period describes as "beautiful words, which deserve preservation in history". He wrote: "Poor I entered the presidency and poor I leave it; but with the satisfaction that public censure does not weigh upon me, because, devoted from my earliest years to personal labor, I knew how to handle the plough in order to maintain my family, without the need of public posts, where others enrich themselves through the abuse of the fatherless and by oppression." *Méjico á Través*, etc., V. 90.

Mexican rights and liberty. He died the following year at the age of seventy-seven. At his death the artisan and working classes, the students of the colleges, and the Liberal party, flocked *en masse* to do honor to his memory, but the clergy never forgave his work for the Liberal cause and refused him Christian burial. All the cemeteries were closed against his lifeless body and his friends were compelled to bury him in the garden of his own country-house in the suburbs of the city. Even in my day in Mexico he was held up to the execration of the "faithful" and they believed that his unquiet spirit still haunted his old homestead.

After long and animated discussions the Constitution was adopted and promulgated as the organic law of the land.¹⁸ It did not prove to be wholly acceptable to either the Conservative or the Liberal party, as it was far too radical for the former and fell short of the desires of the latter, but it was the most perfect instrument that had ever been framed in Mexico, however serious may have been its defects or omissions, and it struck at the roots of many of the causes which had brought so much evil upon the country in the past generation. It provided for free education, complete freedom of speech and the press and of assemblies of the people; the territory of the Republic was made free and open to all; slavery was prohibited and all slaves reaching its soil became free men, despite its slaveholding northern neighbor; special laws and tribunals, all privileges and exceptional rights of individuals, classes or corporations were abolished; personal freedom from arrest or molestation except upon legal writ and competent authority was guaranteed; the laws recognized no religious vows or obligations; and in general the bill of rights and fundamental principles were in harmony with the liberal spirit of the age. The division and powers of the three branches of government were similar to those in the United States. Its most serious defect was that it did not specifically recognize the freedom of worship or the equality of all creeds. Such a clause was proposed and stoutly advocated by the Liberal party, but the Conservative and Clerical influence, coupled with the timidity of President Comonfort, was sufficient to prevent its adoption;¹⁹ and the Church was left intact in its possessions and

¹⁸ For the text of the Constitution, Zarco, *Hist. Cong.*, II. 993. The author of this valuable work, Francisco Zarco, was a member of the Congress, and afterwards active in the Liberal cause. At his death in 1860 Congress decreed honors to his memory. Dublan y Lozano, *Legislación Mexicana*, X. 776; Gallardo, *La Constitución de 1857*, a small volume, but useful as supplying an index, omitted by Zarco.

¹⁹ The debate on this question in the Congress was of a most animated and able character. The advocates of liberty of worship protested their belief in the

religious orders. It was a great step in advance, however, that the Catholic Church was not recognized in the Constitution as the sole religion of the country, as had been the case in all previous organic enactments. Its silence on this subject and the Liberal bill of rights already enumerated were sufficient to secure for it the undying hostility of the Church and the Conservative party.

In accordance with the provisions of the new Constitution a popular election was held for the federal executive, legislative, and judicial officers.²⁰ Comonfort was chosen President and Benito Juarez Chief Justice of the Supreme Court and *ex officio* Vice-President of the Republic. The Congress proved to be largely made up of Liberals. The awakened spirit of reform and the influences already alluded to had brought upon the political arena a galaxy of new but able and intelligent men who in the Constitutional Convention and in this Congress reflected honor upon their country and on free principles everywhere, and were in the approaching contest destined to exert a decisive influence upon the fortunes of the nation. The new Constitution went into effect on September 16, 1857, and the President entered upon his duties under it on December 1. But in the meantime this instrument had been the subject of the most bitter and animated controversy in the capital and throughout the country. The entire Reactionary and Conservative elements declared themselves in open hostility, maintaining that it was unjust and impious in its provisions and was not adapted to the existing state of society; while the Liberals, on the other hand, strenuously contended for its thorough enforcement, insisting that republican institutions could only be enjoyed through the exercise of its principles, and that there would be no peace or safety for the Republic without such a code. The press was in full enjoyment of liberty of discussion and the controversy was carried on with the greatest vigor and acrimony. The clergy were most active in directing the Reactionary forces and the Archbishop of Mexico announced that all who took the oath to support the Constitution would be visited with excommunication.²¹ President Comonfort

tenets of the Catholic religion and their personal devotion to the Church. For details of the discussion and action of Congress, Zarco, *Hist. Cong.*, I. 771-876; II. 5-96. For comments of historians, *Méjico á Través*, etc., V. 163-171; Zama-cois, *Hist. Méj.*, XIV. 322-336. There are to-day four surviving members of the Constitutional Congress: Ignacio Mariscal and Justino Fernandez, members of the cabinet of President Diaz, Felix Romero, justice of the Supreme Court, and Benito Gomez Farias.

²⁰ For the text of the Electoral Law, Zarco, *Hist. Cong.*, II. 1017.

²¹ *Méjico á Través*, etc., V. 228. The Mexican government since the independence had maintained a diplomatic representative at the Vatican in Rome. President Comonfort, himself a devout Catholic, sent a plenipotentiary to Rome

was greatly embarrassed in setting the machinery of government in motion on account of the large number of officials who refused to take the oath as required by that instrument, and he became alarmed at the formidable opposition.²² Although as commander of the army he had put down the revolts occasioned by the Law Juarez and Law Lerdo, he had never given his hearty support to either of these measures. He was one of the moderate republican party and had, as far as he dared, obstructed the work of the Liberals in the Constitutional Congress. It was a great mistake for the Liberals to have allowed him to be intrusted as President with the important task of inaugurating the new organic code, as they might have prevented his election; but, as he had rendered important services in the revolution of Ayutla, enjoyed great prestige as a military leader, and had so successfully resisted the pronunciamientos against the reform, it was considered best in the divided state of public sentiment to allow him, as a moderate republican, to take the lead, trusting to Juarez in the second post and the radical Congress to control his conduct. It was not thought possible that he could enter into a conspiracy to betray and overthrow the Constitution. But this was the guilty act which history has recorded against him. Although a brave soldier, in politics he was a man of great timidity and irresolution. He was a patriot honestly desiring to serve his country, and was opposed to the political machinations of the Clericals; but at the same time he feared that the extreme tendencies of the Liberals might bring the nation into new troubles. He had been made to believe that the new Constitution was utopian and far in advance of the Mexican people, who, it was alleged, were not prepared for such complete self-government. He maintained that it was an obstacle in the way of the very government which it had created; and he fancied that he had won over the leading Liberals to his views. Whereupon he proposed to Congress that it should undergo important modifications; but that body was unwilling to commit such an act of self-stultification. However dark has been the record of the political history of Mexico, it is but just to note that very rarely has a congress elected by popular vote proven false to the trust confided to it. Dictators and usurpers have not found

to seek to bring about an understanding with the Church. He held a number of conferences with Cardinal Autonelli, but was refused an audience by the pope. The latter in an allocution respecting Mexican affairs denounced the acts of the government, approved of the conduct of the archbishop and clergy, and praised the Mexican people for their fidelity to their religion and the Church. For the text of the allocution, see *Méjico á Través*, etc., V. 225.

²² For troubles in enforcing the oath to the Constitution, *ibid.*, vol. V., bk. I., ch. XII.; Zamacois, *Hist. Méj.*, XIV. 512; Rivera, *Gob. de Méj.*, II. 521-523.

the chosen representatives of the people their supple tools, and more than one such congress has been dispersed by military chiefs at the point of the bayonet.

Very soon it was discovered that Comonfort had come to an understanding with the Clerical party to dissolve Congress and overthrow the Constitution, and on December 17, 1857, the very month in which he had taken the solemn oath to support and enforce that instrument, General Zuloaga, with his knowledge, issued at Tacubaya his pronunciamiento, seized and imprisoned Vice-President Juarez and the President of Congress, declared that body dissolved and the Constitution of 1857 annulled; and Comonfort was continued at the head of the government.²³

The latter accepted the revolution and the Plan of Tacubaya, and for a short time he sought to carry the new projects into execution. In conformity with the Plan a council of state²⁴ was formed but it became apparent that he was not trusted by his new partisans, and a military movement was set on foot to force him from the presidency. This he resisted, and for weeks the capital was in turmoil, which soon broke into open hostilities, and for days the streets and public buildings were the scene of battle, carnage, and anarchy. The people fled from their homes, the streets were barricaded, the nights were illuminated with the flash of musketry and the bursting of bombs, the groans of the wounded and dying were heard on every hand and havoc reigned supreme. It was charged that during this contest the monks were seen mixing with and encouraging the troops of the Reactionary party and that the Church treasury furnished the funds to carry on the revolt; and the archbishop announced that all who swore to the Plan of Tacubaya would be released from the excommunication pronounced against those who had sworn to the Constitution.²⁵

Too late Comonfort repented of his error and sought to turn upon his steps. After it became plain to him that Zuloaga was acting wholly in the interest of the Church party, he threw himself into the arms of the Liberals, caused Juarez to be released from imprisonment, and offered to transfer to him the reins of govern-

²³ For the text of the Plan of Tacubaya, *Méjico á Través*, etc., V. 267.

²⁴ Comonfort published a manifesto giving his reason for accepting the Plan of Tacubaya. Baz, *Vida de Juarez*, p. 123. For his address to the Council of State, *ibid.*, p. 126. For the protest of Congress against its dissolution, *ibid.*, p. 120.

²⁵ For the text of the archbishop's announcement, see *Méjico á Través*, etc., IV. 273. For events attending the Plan of Tacubaya, see *ibid.*, vol. V., bk. II., ch. xv.; Zamacois, *Hist. Méj.*, vol. XIV., chs. xi. and xii.; Portilla, *Méjico en 1856 y 57*; Rivera, *Gob. de Méj.*, II. 533; Dublan y Lozano, *Leg. Méj.*, VIII. 654.

ment; but it was then impossible to repair the mischief he had done, as Zuloaga was already completely established in power.

By the bad faith of President Comonfort the Liberal government had been broken up and the Reactionary or Church party under Zuloaga was in complete possession of the capital.²⁶ Juarez escaped to Guanajuato and, in conformity with the provisions of the Constitution, the President by his own act having vacated his office, he assumed the executive functions and reorganized the government as far as he was able by appointing a new ministry and taking such measures as were possible to re-establish the legitimate and constitutional authority. The majority of the state governments recognized Juarez as the legal chief magistrate of the Republic and a host of able and patriotic statesmen and soldiers rallied to his support²⁷—men like Ocampo, Doblado, Prieto, Baz, Ruiz, Fuente, Degollado, Lerdo, and a long list of Liberal leaders, who were ready to pledge their lives to the principles which they had promulgated in the new Constitution.

The conduct of Comonfort had placed the Church party in control of the federal army and all its military resources. Under the command of Osollo and Miramon, two skilful and energetic officers, the army was at once put into the field and marched with great

²⁶ Zuloaga was declared president, and he was recognized as such by the diplomatic corps, including the American minister, but the latter soon after withdrew his recognition and demanded his passports. President Buchanan discusses these events in his annual message of December 6, 1858, *Messages and Letters of the Presidents*, V. 512. President Zuloaga communicated to the pope, in a personal letter, the triumph of the Church party. The pope, in response, expressed the highest satisfaction at the event and the suppression of the laws which had kept the Church of Mexico in such great affliction. For text of this correspondence, *Méjico á Través*, etc., V. 281.

²⁷ Benito Juarez, who is to be regarded in history as one of the first of Mexican statesmen and patriots, was born in a mountain village of the state of Oaxaca, in 1806, of poor but respectable parents of the pure Zapotecan Indian race. Up to the age of twelve he lived in his mountain valley, isolated from the outside world and unaffected by its civilizing influences. At that age he became restless at his confined life, and wandered off to the city of Oaxaca, the capital of the state. Here by good fortune he became a servant to a lay-brother of the Franciscan Order, who detected his bright intellect, and dedicated him to the service of the Church. In his twentieth year he began the theological course which was to fit him for the ministry, just after the empire of Iturbide had been overthrown and the republican government fairly established. It was a time of intellectual and liberal awakening, and young Juarez decided that his future was not to be in the service of the Church. He gave up his clerical studies and chose the profession of the law, in which he soon attained a creditable position. He was early called into the service of the state as a member of the legislature, civil judge, governor, and member of the federal Congress. He was banished by Santa Anna, and after passing a period of exile in the United States he returned to take part in the revolution of Ayutla and thenceforth to the end of his life he became the chief leader in the Reform movement.

promptness to attack the gathering but unorganized Liberal troops. In less than a month they had defeated and scattered all the forces which could make any opposition. Juarez and his cabinet were driven from Guanajuato to Guadalajara and thence, hotly pursued by the enemy, to the Pacific port of Manzanillo. Once had he been captured by his pursuers and placed in charge of a platoon of soldiers to be shot, and at another time surrounded by them and in great peril of his life, but his imperturbable spirit and cool courage showed that he was as undismayed in the strife of battle as he had proven to be in the heat of the political contests. The Reactionary forces having scattered all opposition and occupied the chief cities and states of the interior of the country, Juarez and his ministers had to find safety on board an American packet-steamer; but he did not abandon the cause which for the moment appeared lost. The important city and port of Vera Cruz in the Gulf of Mexico still held out in favor of the Liberal cause under the lead of its governor, Zamora; and to that city the President and his cabinet repaired with all possible speed, being compelled to make the long journey via Panama, Havana, and New Orleans.

When he reached Vera Cruz on May 4, 1858, everything looked hopeless for his cause. In the intervening four months since he had been driven from the capital, the Church party had not only possessed itself of the machinery of government, but had destroyed all organized opposition with the exception of Vera Cruz and some of the more unimportant points, and was, owing to its energetic military movements, supreme throughout the country. After having passed through various changes the executive power in the capital was placed in the hands of General Miramon, an able and daring soldier. He had at his command a well-organized army flushed with its recent victories, the aid of a body of able statesmen, representatives of the Conservative element, who feared the radical tendencies of the Liberal party, and the hearty support and pecuniary assistance of the Church,²⁸ which felt that its vast property interests and its existence as a political power were at stake in the contest. The new régime appeared firmly established in power. It seemed as if the Reform movement inaugurated at Ayutla had come to naught, that the new Constitution and its liberal principles had been strangled at their very birth, and that Mexico had given itself over to the Reactionary party and clerical domination.

But Juarez was not disheartened. Though shut up in Vera Cruz

²⁸ *El Libro de Actas* of the cathedral chapter of Mexico shows that large sums of money were furnished out of the Church revenues to the Conservative government.

he felt that he was sustaining a great movement and that the liberal and progressive element of the country would soon rally to his support. He maintained that the Constitution of 1857 and the government organized under it was the only legally expressed will of the Mexican nation and that they could not be destroyed by conspiracy and mere force, temporarily installed. The very morning after his arrival at Vera Cruz, he set up his government, and the chief of his ministry by his direction issued a circular announcing the fact and encouraging the Liberals to continue the struggle for the triumph of the principles contained in the fundamental code, and assuring them that the members of his government would spare no efforts or personal sacrifices to that end and that no new difficulties would shake their resolution.²⁹

The party was not slow in responding to the appeal. Before leaving Manzanillo the President had appointed Degollado Minister of War and had given him full powers to continue the contest in the northern and western states. Although the Reactionary army had, as stated, driven all organized opposition from the field, it was not numerous enough to garrison all the cities, and the moment it was withdrawn from any one of them the Liberals rose in arms and began to reorganize their forces, so that very soon all over the country were being gathered the elements of a new army. It became evident that the nation was entering upon a struggle which would test the strength of the opposing parties. Thus was brought face to face the advocates of the Constitution and the supporters of the Church—the principles of liberal representative republicanism against class privileges and clerical control of political affairs. The contest is known in Mexican history as "the War of the Reform", and the combatants took the party names of the Constitution and the Church. It continued for three years and was waged on both sides with the most relentless bitterness and cruelty. Never before in all its bloody history had the country been so stirred up or witnessed such scenes of carnage. It pervaded every section and all classes of society, and there was hardly a village or neighborhood in the whole republic that was not made the theatre of some conflict or had not its story of violence and disorder.

I have already stated that the Constitution with all its liberal and progressive principles had not satisfied the desires of the radical republicans. Through the influence of President Comonfort the Church had not been attacked in its most valued interests. Class privileges had been abolished and free education and liberty of

²⁹ For the text of the circular, see Baz, *Vida de Juarez*, p. 141.

speech and of the press had been declared; but there had been no formal dissolution of the ties between Church and State, freedom of worship had been voted down in the Constitutional Congress and, most of all, the property of the Church had not been confiscated and the monasteries and religious establishments had not been closed. But now that the Church had appealed the controversy from the arena of political strife and debate to the issue of the sword, had overthrown the Constitution by conspiracy and had driven the legal government out of the capital at the point of the bayonet, the Liberal party felt that the era of compromise had passed and that all the questions heretofore unsettled should be decided by the arbitrament of arms. Eighteen months had passed and the Clerical party still maintained the warfare with unrelenting bitterness and energy, when the Liberal government, after mature deliberation, decided to make the issue a full and sweeping one and to take from the Church its power thereafter to obstruct the enforcement of the Constitution and its enlightened principles; and on July 12, 1859, a proclamation to the nation, signed by President Juarez and his ministers, was issued at Vera Cruz, announcing the memorable *Laws of Reform*,³⁰ which may be briefly enumerated as follows:

1. Complete separation and independence of the Church and State.
2. The suppression of the monasteries and religious communities.
3. Confiscation to the use of the nation of the Church lands and estates.

These measures of reform it was proposed to carry out upon the triumph of the Constitutional government and the suppression of the rebellion. In the same proclamation a programme of the policy to be followed to meet the wants of the nation is set forth; and it constitutes the most able and comprehensive state paper ever issued in Mexico. It is bold and statesmanlike, in that it strikes at the very root of the evils which afflicted the country, without temporizing or compromises. It was a proclamation of death and destruction to the dearest privileges and customs of the opposing party. President Lincoln's Proclamation of Emancipation in our Civil War did not more fully attack the spirit and cause of the rebellion than did that Proclamation of Reform, nor was the former issued under such dark and gloomy circumstances; and great and glorious as was that act, it was not so courageous and daring as that of Juarez in 1859.

This important document was followed by a Circular addressed to the governors of the states,³¹ giving the reasons which had in-

³⁰ For the text of the proclamation, Baz, *Vida de Juarez*, p. 150; Zamacois, *Hist. Méj.*, V. 909.

³¹ For the text of the circular, see Baz, *Vida de Juarez*, p. 172.

fluenced the President to promulgate these reforms, which were considered necessary to secure the triumph of enlightened republican principles, the stability of the Constitutional government, and the peace and prosperity of society. The first and great reason is given in the following historical facts which I quote from the Circular:

Thirty-eight years ago the heroic effort of our liberators broke forever the opprobrious chain which bound us to the throne of Charles V.; and if we carefully trace the sad pages of our history in this long period, we cannot point to a single event in the continuous and mournful struggle which right and justice sustained against force and violence, which is not marked with characters of blood, written by the hand of the Mexican clergy. These, taking advantage of their influence over the conscience, misappropriated the gifts dedicated to worship and the relief of the poor, and with them purchasing treachery and treason, in the first instance disturbed the foundations of our society at its very birth in 1822, and sealed with blood the conquest of their privileges and predominating influence.

The Circular then proceeds to establish this assertion with an array of historical facts, showing that by their influence over the conscience, their control of political affairs, and their vast property and moneyed power they had overthrown every government which had sought to secure to the people the genuine fruits of republican independence and free and enlightened political principles.³² In this connection it is to be borne in mind that the Church was estimated to be the owner of one-third of the entire productive wealth of the nation. In the Federal District, the centre of its political power, it is said to have held one-half of the real estate, and besides this it possessed a large cash capital which it loaned out upon mortgage or other security, and was in effect the great banking institution of the country.³³ Its annual resources far exceeded those of the government, and as the latter was, owing to the constant civil wars, almost always on the verge of bankruptcy, it can readily be under-

³² Following this action President Juarez took the final step to make complete the separation of the Church and State by directing the closing of the Mexican Legation at the Vatican. In the letter of the Secretary of Foreign Affairs to the Mexican representative in Rome, he wrote: "Article III. of the law of July 12 last having provided that there shall be perfect independence between the affairs of state and those which are purely ecclesiastical, at the same time that it imposed upon the government the duty of limiting itself to protect with its authority the exercise of public worship of the Catholic religion, the same as any other, and His Excellency, the President, proposing not to intervene in any way in the spiritual affairs of the Church, he has deemed it proper that the Republic should be relieved from maintaining a legation near the Holy See." For the text of the letter, see *Méjico & Través*, etc., V. 381.

³³ Waddy Thompson, *Recollections of Mexico*, p. 41; Lester, *The Mexican Republic*, p. 18.

stood what a power the Church was in political affairs, by its mere property and moneyed influence alone, which it never scrupled to use, without counting its great influence over a superstitious and ignorant people.

The proclamation of the *Laws of Reform* made the Church party even more hostile and determined, if that were possible, than before, and the contest was waged throughout the country with redoubled vigor but with varying fortunes.³⁴ Twice did the Constitutional army march up to the very gates of the City of Mexico, and in April, 1859, it seemed as if the conflict was about to be ended with its victorious entrance, but it suffered an overwhelming defeat by Miramon at Tacubaya, in the suburbs, followed by a most shameful butchery; and again for a time the Church party recovered its lost ground. Twice was the President and cabinet besieged in Vera Cruz and took refuge in the Castle of San Juan de Uloa. Added to the internal strife Juarez was embarrassed by threatened foreign intervention. The Spanish, French, and English governments sent their ships of war to Vera Cruz to watch the contest and their diplomatic representatives were active in seeking to bring about a compromise, and even succeeded in inducing General Degollado, the commander of the Constitutional army, to agree to a truce and a submission of the questions at issue to the decision of the foreign representatives; but Juarez at once rejected the proposition and removed Degollado from command for having transgressed his powers. He was unalterably opposed to any compromise or transaction with the enemy. He maintained that the only way to peace was for his opponents to recognize the Constitutional government and lay down their arms. He announced his position in the following words, and in the next eight years he had frequent occasion to repeat them:

I am not the chief of a party; I am the legal representative of the nation; from the moment I transgress legality my powers cease, my mission ends. I cannot, I do not wish, neither ought I, to make any compromise, for from that instant my constituents would reject me, because I have sworn to maintain the Constitution, and I maintain it with the full approval of public opinion. When that shall change, I will be the first to respect its sovereign will.³⁵

In the midst of all this gloom, with the whole country plunged in the horrors of civil war and the nations of Europe giving encouragement to the insurgents and embarrassing the legal government

³⁴ For the reply of the archbishop to decrees confiscating Church property, see Zamacois, *Hist. Méj.*, XV. 881, 895.

³⁵ Baz, *Vida de Juarez*, p. 145.

with offers of mediation and compromise at the very time that Miramon was bombarding Vera Cruz, the only expression of sympathy came from the United States. The government of the United States, after having sent a special agent to Mexico to investigate the situation of the country and the contending parties, determined to recognize Juarez as the legitimate head of the Mexican Republic and sent its accredited minister plenipotentiary to Vera Cruz. A writer of that day, in giving an account of the reception by President Juarez of the American minister, Hon. Robert M. McLane, says:

The scene was in the highest degree solemn and impressive. . . . By an extraordinary series of events this pure Indian, now a man of education and accomplishments, having risen from mysterious depths, is found at the head of the nation in its last struggle for liberty and happiness. This Indian President of disturbed Mexico—he who represents the past as well as the present—in behalf of a wretched remnant of a people of unknown antiquity, which the despotism of ages has not crushed out of existence, cries out to the youngest, freshest, and most powerful free government on earth for sympathy and support. The representative of that free government responds in the name of Christianity and humanity, and acknowledges before all the world the right of this down-trodden and despised people to possess and enjoy that priceless boon to man—civil and religious liberty.³⁶

But the country was being exhausted by this fratricidal strife and there must needs come an end to the contest. The indomitable constancy and unflinching faith of Juarez were to have their reward. The proclamation of the *Laws of Reform*, while it exasperated the Reactionists, had given new life to the Constitutional party, who saw in it the resolution of their government to make no compromise with treason and no terms with the Church, except the complete surrender of its temporal power and its opposition to free principles. The renewed courage of the Liberals and the wasting energies and resources of the revolutionists was shown in the decisive battle of Calpulalpam on December 22, 1860, when Miramon was completely overthrown and the capital was abandoned to the peaceful occupation of the Constitutional forces under General Gonzalez Ortega. The whole country after this decisive battle hastened to acknowledge the Constitutional government and on January 10, 1861, Juarez

³⁶ Dunbar, *Mexican Papers*, p. 7. For text of addresses exchanged between Minister McLane and President Juarez, see Zamacois, *Hist. Méj.*, XV, 849. The conduct of the United States and the state of affairs in Mexico during this period were discussed at length by President Buchanan in his annual messages of 1859 and 1860, *Messages and Letters of the Presidents*, V, 563, 644.

re-entered the City of Mexico, just three years from the time he had been driven out by the Church party.³⁷

It would seem that nothing now remained to be done but to reconstruct by the peaceful methods of civil administration the various departments of government, to put in practice the Liberal principles which had triumphed, and to carry out the *Laws of Reform*. Upon this work Juarez and his government entered with zeal, but its final consummation had to be postponed because of the European intervention. The contest had been decided so far as the Mexican people could determine it, but the attempt to establish a Latin empire in America, supported by French armies and the sympathetic aid of the pope and the Catholic countries of Europe, Austria, and Belgium, had first to be overcome.

More than half a century has passed since the separation of the Church and State in Mexico was finally effected. Its results have been two-fold. First, the forebodings of the Church party have not been realized. Relieved by enforced abstention from political affairs, the clergy are more efficient in ecclesiastic affairs than ever. The Church is more vigorous to-day than before the Plan of Ayutla. The Catholic religion continues to be strongly entrenched in the hearts of the people. Protestantism has made comparatively little progress. No public man of any prominence favors a return to the old régime. Second, the action of Mexico has influenced all the countries of Latin America. When the Constitution of 1857 was promulgated, in these nations almost without exception the Catholic was the state religion, and none others were tolerated. To-day, with few exceptions, the governments are entirely separated from the Church, and religious freedom prevails.

JOHN W. FOSTER.

³⁷ For the proclamation of Juarez to the nation, January 10, 1861, see *Méjico á Través*, etc., XV. 447.

The citations which have been made in this article have been mainly to two authorities. *Méjico á Través de los Siglos* is a large quarto work of five volumes, and is especially full for the period here treated. It was written in collaboration by Vicente Riva Palacio, a scholar and statesman of rare merit, and five of the most distinguished public men and writers of Mexico. They wrote from the standpoint of the Liberal party. *Historia de Méjico*, by Niceto de Zamacois, is an octavo work of twenty volumes, and the most complete history of the Republic yet published. It treats the period under review from the Conservative standpoint.

There is a great variety and volume of publications on the history of the Republic, especially for the period after the Plan of Ayutla. In addition to the citations made in this article, long bibliographical lists will be found in H. H. Bancroft's *History of Mexico*, V. 550, 808. A partial list is appended to Noll's *From Empire to Republic*, p. 313. *La Constitucion de 1857 y las Leyes de Reforma*, by R. C. Granados, written in 1906 on the centennial of the birth of Juarez, a monograph of 133 pages, is an excellent treatise on the subject.

THE MOLLY MAGUIRES IN THE ANTHRACITE REGION OF PENNSYLVANIA¹

HOLDING a brief for the Historic Muse it might seem fitting that I should treat in a general way of the study and writing of history but in a number of addresses before learned societies and to university students I have gathered everything in my power from this well-reaped field. To recombine and restate what I have already said would in no way be worthy of this occasion and I think that I can better serve my muse.

Someone asked Jowett, Is logic a science or an art? Neither, he said, it is a dodge. And some scoffers, impressed with the saying attributed to Napoleon that "history is lies agreed upon", have answered likewise the same question when applied to history. Napoleon, indeed, struck at two of the masters when he said that Tacitus writes romances, Gibbon is no better than a man of sounding words. Therefore it has seemed to me that the relation of an episode, which has been investigated according to the modern method, will better show our aim at the truth than a laudation over results that have been accomplished. And I have chosen an episode into which no question of party politics intrudes; the operations of the Molly Maguires in the Anthracite coal region of Pennsylvania between 1865 and 1876.

The name and organization of this hide-bound secret order—the Molly Maguires—came from Ireland; no one but an Irish Roman Catholic was eligible for membership. During the Civil War there had been an enormous demand for anthracite coal at high prices and this had caused a large influx of foreigners, Irish, English, Welsh, Scotch, and Germans, so that the colliery towns were under their control; and the Irish from their number and aggressiveness were the most important single factor. Many of the Mollies were miners and the mode of working the mines lent itself to their peculiar policy. Miners were paid by the cubic yard, by the mine car, or by the ton, and, in the driving of entries, by the lineal yard. In the assignment of places which was made by the mining boss there were "soft" jobs and hard. If a Molly applied for a soft job and was refused, his anger was great and not infrequently in due time

¹ Paper read at the first public meeting of the American Academy of Arts and Letters in Washington, December 14-16, 1909.

the offending boss was murdered. If he got employment, there was constant chance for disagreement in measuring up the work and in estimation of the quality of the coal mined, for it was the custom to dock the miners for bad coal with too much slate and dirt, and a serious disagreement was apt to be followed by vengeance. Little wonder was it that, as the source of the outrages was well understood, mining bosses refused to employ Irishmen, but this did not insure their safety, as they might then be murdered for their refusal. A good superintendent of any colliery would, in his quality of superior officer, support an efficient mining boss and would thus fall under the ban himself.

The murders were not committed in the heat of sudden passion for some fancied wrong; they were the result of a deliberate system. The wronged individual laid his case before a proper body demanding the death, say, of a mining boss, and urging his reasons. If they were satisfying, as they usually were, the murder was decreed but the deed was not ordered to be done by the aggrieved person or by anyone in his and the victim's neighborhood. Two or more Mollies from a different part of the county, or even from the adjoining county, were selected to do the killing because, being unknown, they could the more easily escape detection. Refusal to carry out the dictate of the conclave was dangerous and seldom happened, although an arrangement of substitution, if properly supported, was permitted to be made. The meeting generally took place in an upper room of a hotel or saloon and, after the serious business, came the social reunion with deep libations of whiskey.

During the decade beginning in 1865 a great many men were killed to satisfy the revengeful spirit of the Molly Maguires. Some of the victims were men so useful, conspicuous, and so beloved in their communities that their assassination caused a profound and enduring impression.

While the murders were numerous, still more numerous were the threats of murder and warnings to leave the country written on a sheet of paper with a rude picture of a coffin or a pistol and sometimes both. One notice read, "Mr. John Taylor—We will give you one week to go but if you are alive on next Saturday you will die." Another, to three bosses, charged with "cheating thy men" had a picture of three pistols and a coffin and on the coffin was written, "This is your home." In other mining districts and in manufacturing localities, during strikes and times of turbulence, similar warnings have been common and have been laughed at by mining bosses, superintendents, and proprietors; but, in the anthracite region be-

tween 1865 and 1876, the bravest of men could not forget how many of his fellows had been shot nor suppress a feeling of uneasiness when he found such a missive on his door-step or posted up on the door of his office at the mine. Many a superintendent and mining boss left his house in the morning with his hand on his revolver, wondering if he should ever see wife and children again.

The young men of the order were selected for the commission of murder; above them were older heads holding high office and, in a variety of ways, displaying executive ability. They were quick to see what a weapon to their hand was universal suffrage, and, with the aptitude for politics which the Irish have shown in our country, they developed their order into a political power to be reckoned with. Numbering in Schuylkill County only 500 or 600 out of 5000 Irishmen in a total population of 116,000, the Molly Maguires controlled the common schools and the local government of the townships in the mining sections of the county. They elected at different times three county commissioners and came near electing one of their number, who had acquired twenty thousand dollars worth of property, associate judge of the Court of Oyer and Terminer. In one borough a Molly was chief of police; another in Mahanoy township, Jack Kehoe, was high constable. In the elections were fraudulent voting, stuffing of the ballot-boxes, and false returns; in the administration of the offices, fraud and robbery.

Despite the large number of murders by Molly Maguires from 1865 to 1875 there were few arrests, few trials, and never a conviction for murder in the first degree. The defense usually relied on was an alibi, made fairly easy to establish as the men who did the killing were unknown in the locality of it, and as there were Mollies in abundance equal to any amount of false and hard swearing at the dictation of their order.

During the summer and autumn of 1874 the Molly Maguires were at the height of their power, yet, while there was nothing in sight menacing their dominion, operations against them had been commenced by Franklin B. Gowen. Shortly after coming of age, Gowen, in company with others, had worked a mine in Schuylkill County, but, owing to the aftermath of the panic of 1857, his venture had not been successful. He turned to the study of law and was admitted to the Schuylkill County bar, was elected district attorney, and later, securing a large and lucrative practice, became attorney for the Philadelphia and Reading Railroad, and in 1869, at the age of thirty-three, its president. He organized the Philadelphia and Reading Coal and Iron Company, which secured an immense

amount of coal-land and became the largest producer of anthracite coal. He knew Schuylkill County through and through and made up his mind that a regular and profitable conduct of mining operations would become impossible, should the terror of the Molly Maguires continue and grow. As the guardian of the great Reading property, he felt it his duty to break up the criminal organization, and in addition to his local knowledge and experience he possessed peculiar qualities for the work. With restless ability and indomitable energy, he combined in a remarkable degree both physical and moral courage. He was convinced that the Molly Maguires could be exposed only by the employment of secret detectives and, with this view, he applied to Allan Pinkerton of Chicago, "an intelligent and broad-minded Scotchman". Pinkerton chose James McParlan, a native of Ireland and a Roman Catholic, who coming to Chicago in 1867 had been a teamster, the driver of a meat wagon, a deck-hand on a lake steamer, a wood-chopper in the wilds of Michigan, a private coachman in Chicago, a policeman and detective, then an employé in a wholesale liquor establishment, developing from this into the proprietor of a liquor store and a saloon. The store burned down in the great fire of 1871 and, as the saloon was no longer remunerative, he sold it out and, in April, 1872, went into the employ of Allan Pinkerton. In October, 1873, at the age of twenty-nine, he reported to the Pinkerton agent in Philadelphia for orders, with the understanding that he was to receive twelve dollars a week as his salary and, in addition, his expenses. After some preliminary observation of his field, he took up his residence in the anthracite region in the following December, first at Pottsville, then at Shenandoah. Under a disguise and the assumed name of James McKenna, McParlan was a "broth of a boy" who could sing a song, dance a jig, pass a rough joke, and stand treat, apparently taking his full share of whiskey, which was the usual beverage. Still other qualities were needed; so he said he had killed his man in Buffalo and was a fugitive from justice. Supposedly a workman, he got a job, but found this too confining and laborious and soon appreciated that it was unnecessary for his object. But he had to account for the money which he spent freely and, quickly learning that honest labor was no recommendation to the Molly Maguires, he concocted the story that he was in receipt of a pension from the United States Government, fraudulently obtained, and that he was also a counterfeiter engaged in "shoving the queer". This latter proved a clever device as it explained both his ready command of money and the frequent journeys from place to place, which were necessary in his

work of detection, warning, and prevention of crime. The tale, as McParlan told it on the witness stand, is better than any detective story, for it is based on a diary of actual happenings in the shape of regular written reports to a superior officer in Philadelphia. McParlan gained the confidence of his brother Irishmen and Catholics and, on April 14, 1874, was initiated into the order and became a full-fledged Molly Maguire. Loud, brawling, boastful of crimes, and in education superior to most of his fellows, he was soon chosen secretary of his division, the duties and privileges of which office made him a local leader, gave him an insight into the secret workings of the order, and imparted to him a knowledge of their past crimes and projected murders. While he was working with zeal and discretion, learning each week something more of their practices and plans of operation, other events were tending towards the end.

In 1875 there was a recrudescence of Molly Maguire outrages. As the result of a certain feud, a Molly, in accordance with the rule of the organization, brought his case before a convention held in a second-story room of a hotel in Mahanoy City. He maintained that he had been shot at and that it was the intention of two brothers named Major and of one "Bully Bill", otherwise William M. Thomas, a Welshman, to kill him. He therefore asked his society to put these three men out of the way. The meeting to consider this request was opened with prayer and presided over by Jack Kehoe, the county delegate of Schuylkill, the highest officer in the county organization. There were also present the county delegate of Northumberland, three body-masters (the body-master was the chief officer of the division), three other officers, and James McParlan (McKenna), our detective, and secretary of the Shenandoah division. The matter was discussed, and after some consideration a motion was made that Thomas and the Major brothers be killed; it was carried. The mode of the killing caused some discussion, but there seemed to be no lack of men ready and willing to do the job. In the end, certain Mollies were agreed upon and selected for the murders, McParlan being one of those assigned for the dispatch of Thomas. There being no further business before the meeting, it adjourned in due form. Having doubtless taken many drinks of whiskey, the Mollies dined at the tavern, when, so the account reads, other matters were sociably discussed.

On the morning of June 28, four Mollies from Shenandoah of the ages from nineteen to twenty-three, started out to kill Thomas, expecting to shoot him as he walked towards the drift-mouth of Shoemaker's colliery, a mile from Mahanoy City. Thomas was in

the stable talking to the stable-boss. The hour of half-past six arrived and the Mollies, becoming impatient that he did not come out, started towards the stable. When they reached the door, one fired at Thomas, hitting him in the breast. Thomas jumped towards the man, grasped the revolver, when a second bullet took effect; then another Molly shot him twice in the neck, one wound being within a quarter of an inch of the jugular vein; the other two fired but apparently did not hit the victim; Thomas, covered with blood, fell and crawled under the horses that had not been hit; one horse was killed and another wounded. Thinking that Thomas was dead the assassins fled to Shenandoah and "wet with sweat" found McParlan and reported what they had done.²

Jimmy Kerrigan, the body-master of the Tamaqua division, Schuylkill County, and his chum, Thomas Duffy, hard drinkers, reckless and quarrelsome in their cups, had been arrested and imprisoned more than once by the police; they had conceived therefore a violent hatred against Policeman Yost, who with an associate constituted the night watch of Tamaqua, and who on one occasion had overcome the resistance of Duffy by beating him on the head with his club. Yost was a man of good character, kindly nature, and popular in the community, but the Tamaqua division decided that he must die.

At the same time the Mollies of Storm Hill, Carbon County, had determined upon the murder of John P. Jones, a mining boss in the employ of the Lehigh and Wilkesbarre Coal Company, because it was supposed that he had blacklisted William Mulhall and Hugh McGehan. An exchange of "Mollie courtesies" was at once suggested and decided upon. Carbon County Mollies were to be sent over for the murder of Yost and in return Schuylkill Mollies would undertake to put Jones out of the way. Yost was to be assassinated first and the time fixed upon was the early morning of July 6 at the hour when he should extinguish the last gas light in the town. Mulhall, who was a married man with a large family, was relieved from the work and James Boyle, being conveniently at hand, was substituted in his place.

McGehan and Boyle, the Carbon County representatives, came to Tamaqua and were guided by Kerrigan and Duffy. About mid-

² Although Thomas was not killed, his doom and the assault on him was a characteristic incident. The limit of this paper does not permit me, however, to enlarge upon its importance. In the Court of Quarter Sessions, Schuylkill County, Jack Kehoe and a number of other Molly Maguires were convicted for aggravated assault and battery with intent to kill William M. Thomas, and, in a trial immediately thereafter, for conspiracy to murder the Majors.

night Duffy took the two to the cemetery and returned to the Union House, an inn kept by a prominent Molly, so that he might prove an alibi when, as was highly probable, suspicion fell upon him. Somewhat later Kerrigan took a bottle of whiskey to the cemetery, but the drink was for himself and Boyle, as McGehan, who was a tall young man (about twenty-two) of powerful frame with brawny arms, never touched a drop of liquor. Kerrigan led the two to the street lamp and placed them under the shade trees near by. After a while Yost and his associate watchman appeared and went into Yost's house to get something to eat. Coming out at a little after two o'clock Yost went at once to the lamp-post, placed his ladder against it, began to climb the ladder, heard footsteps behind him, and turned round to see who was coming from under the trees. As he turned, McGehan reached up and shot him in the right side. Yost fell off the ladder, exclaiming "Oh my God! I am shot, my wife!" His wife leaning out of the window saw him climbing the ladder, saw the flash of the pistol, heard that and a second report, the scream of her husband, the sound of retreating footsteps, and, rushing downstairs and out, found him mortally wounded. "Give me a kiss", he said, "I am shot and have to die." Later to his brother-in-law he said, "This is the last of me; I must die; I have been so long in the army and escaped, and now I must be shot innocently." He died that day but not before stating that he had seen his murderers plainly, they were both Irishmen but neither was Kerrigan nor Duffy who were the only enemies he had in the world.

Kerrigan piloted McGehan and Boyle away to a point whence they could easily return to their own county. McGehan boasted to Kerrigan of the deed. "I dislike", he said, "to draw Irish blood but I want no better sport than to shoot such men as Yost. When he was shot he 'hollered' like a panther." The murderers reached their homes without apprehension. Not until seven months afterwards were they arrested.

McGehan became a hero. All the Mollies admired his "clean job", for which it was generally recognized a suitable reward should be given. A leading Molly of Carbon County, Campbell, bestirred himself in his behalf and started him in a saloon near Storm Hill.

I pass over two murders by Mollies in August to the murder of Thomas Sanger. An Englishman, thirty-three years old, of good character and amiable disposition, a mining boss at Ravens Run colliery, he had somehow incurred the ill-will of some of the Molly Maguires and he was doomed to die. On the morning of September 1, a little before seven o'clock, as he walked towards the mine to

set the men to work, he was attacked by five Mollies, shot and killed, as was also William Uren, a young man who was with him and interfered in his defense. Although a hundred men and boys witnessed the assault, they were so terrified by the promiscuous firing that they made no attempt to arrest the Mollies who escaped to the mountains.

The sensation in Schuylkill and Carbon counties was profound. The victims had been Welsh, Pennsylvania-German, or English, and the feeling of their blood-brothers towards the Irish Catholics was growing into a keen desire for vengeance.

But the day of reckoning was at hand although the Mollies, arrogant in their success, drunk with deeds of violence and thirsting for blood, little recked that the period of their dominion was drawing to an end.

It will be remembered that in return for the murder of Yost, the Schuylkill County Mollies had promised to kill John P. Jones, a Welshman, a mining boss at Storm Hill, Carbon County. Through McParlan, he had been put on his guard and for a number of weeks had slept at the house of his superintendent under guard of Coal and Iron policemen. The changes of design and shifting of plans were so frequent that the detective was unable to trace them all, and he hoped that this project had been abandoned when the community received another shock in the following manner.

Jimmy Kerrigan, who knew the by-paths in this difficult mountainous country, led Edward Kelly, whose selection had been by lot, and Michael J. Doyle (who had volunteered to take the place of a married man with a family) into Carbon County and they stopped all night with Campbell, in whose saloon they were well entertained. Jones, passing the first night for a long while in his own house, left it, after taking breakfast and chatting with his family, at a little after seven on the morning of September 3, to go to the mining superintendent's office near the railroad station. As the train from Tamaqua was nearly due, a hundred men, miners and railroad employees, were about the place. As Jones approached them, two strange men suddenly stepped forward and fired a number of balls into his body, killing him almost instantly; at once they fled to the mountains. Wild excitement prevailed at the station but the mining superintendent kept his head and organized a party for pursuit. Jimmy Kerrigan led his two men by unfrequented roads and by-paths and, eluding all pursuers, got them safely by Tamaqua, five miles from the scene of murder. Had he kept on, instead of stopping to show his hospitality, he could have taken them to Tuscarora, where there was a nest of Molly Maguires. Some of these could easily

have conducted the assassins to Pottsville, where, merged in the crowd, detection would have been impossible. But when they had left Tamaqua behind and were near his own house Kerrigan left them in the bush and went home to get them whiskey and something to eat.

Meanwhile Beard, a young law student, who had seen the dead body of Jones immediately after the murder and was one of the first to bring the news of it to Tamaqua, happened to hear that Jimmy Kerrigan with two strange men had been seen west of the town. Going to a hill whence with a spy-glass a pretty good view of the surrounding country could be obtained he saw Kerrigan wave a handkerchief, whereupon two other men appeared and the three went to a spring on the side of the mountain. Hurrying back to town, Beard together with an elder brother mustered a force of twenty, went out to the bush, captured Kerrigan and his associates and bringing them to town had them confined in the Tamaqua lockup. They were surrendered to the deputy sheriff of Carbon County on his properly supported demand.

The trial of the murderers of Jones which had been fixed for October 19 was postponed on sufficient ground; and, as it was well understood that strong evidence for an alibi was being manufactured and as the Molly Maguires were at the height of their political power, fears were entertained by many that the assassins would escape the punishment which was justly their due. But these people had no conception of the impending doom of the terrible order owing to the irrefragable evidence gathered by McParlan, the energy and discretion of Gowen and Parrish,³ and the high character of the bench and bar of Carbon and Schuylkill counties.

On January 18, 1876, the trial of the three assassins of Jones began at Mauch Chunk before Judge Dreher. Assisting the district attorney in the prosecution were Charles Albright and F. W. Hughes, one a Democrat, the other a Republican, who had clasped hands in the determination to root out the Molly Maguires by process of law. Five attorneys appeared for the defense, of whom two, at least, were able lawyers and a third was the Republican member of Congress for Schuylkill County. The prisoners demanded separate trials and the commonwealth elected to begin with Michael J. Doyle. The testimony presented on its part was complete. The defense was a carefully manufactured alibi but as it was evident that the commonwealth stood ready to prosecute for perjury as well as for murder, the counsel for Doyle, either too timid or too honorable to

³ President of the Lehigh and Wilkesbarre Coal Company.

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put upon the stand men who they knew would swear falsely, did not call their witnesses and let the case go to the jury on the evidence of the commonwealth. Three arguments were made by the prosecution; two "stirring appeals to the jury" on behalf of the prisoner. On February 1 the jury brought in a verdict of guilty of murder in the first degree, the first conviction in the anthracite region of a Molly Maguire for a capital crime. Later the judge refused a motion for a new trial and sentenced Doyle to be hanged.

Kerrigan decided to turn state's evidence and, before the conviction of Doyle, told Albright and Hughes (who were accompanied by a stenographer) the story of the murders of Jones and Yost and disclosed the inside workings of the society of Molly Maguires. On February 4 Campbell was arrested as accessory before the fact to the murder of Jones and on the same day the two principals and three accessories to the murder of Yost were committed to the Pottsville jail. On February 10 two men were arrested for the murder of Sanger and Uren at Ravens Run.

The Molly Maguires were much alarmed. They knew that the arrests of Campbell and of the murderers of Yost were due to the disclosures of Kerrigan and they were bitterly indignant at his treachery, but they did not believe that the arrest of Sanger's assassin could be laid to his charge, as Kerrigan was in a different division and had no intimate connection with the murder. It was rumored that a detective was in their midst and suspicion fell upon McParlan. Having heard the report more than once Jack Kehoe, one of the most adroit men in the society, became convinced of its truth and sent the word around that McParlan (McKenna) was a detective and that members must beware of him. Hearing this, McParlan went to Kehoe and demanded, "Why do you spread these reports about me?" "I heard it from a conductor on the Reading Railroad", was the answer. "He called me into the baggage car and said that I might be certain that you were a detective. I told him it was not the first time I had heard the charge made against you." McParlan denounced the charge as a slander and demanded a convention of the order to investigate the matter. "I will let the society try me", he said, "and if I find out the man who is lying about me, I will make him suffer. It is a terrible thing to charge a man like me with being a detective." They agreed that a county convention should be called and, as Kehoe was too nervous to write the notices, he asked McParlan to write them in his name, who therefore summoned in proper form all the body-masters of the county to convene at Shenandoah for his own trial (about March 1).

Meanwhile the report concerning McParlan gained force, helped on by the assertion of the leading attorney for the defense of Doyle that, in some unaccountable way, the attorneys for the commonwealth got hold of the minute details of their line of defense. On the day before the one fixed for the convention, McParlan, while at Pottsville, was charged with being a detective by another Molly, who further asserted that the convention at Shenandoah was a game of his to get all the body-masters and officers together and have them arrested by Captain Linden⁴ and his Coal and Iron police. To allay this suspicion McParlan went at once to see Linden and asked him not to have the police there at all. "I believe", he said, "I can fight them right through and make them believe I am no detective." Linden reluctantly consented but told McParlan that he was running a very great risk.

Linden was right. Earlier in the day, McParlan had seen Kehoe and the two arranged to travel together to Shenandoah that evening that they might be there for the convention early on the morrow. But Kehoe stole away thither on an earlier train, got together McAndrew, the body-master of the Shenandoah division, and a number of the Mollies, telling them that beyond doubt McParlan was a detective and that he must be killed. "For God's sake have him killed to-night", he added, "or he will hang half the people in Schuylkill County." The men consented, McAndrew with reluctance as he was fond of McParlan. Kehoe went home but a dozen men assembled a little below the station, armed with axes, tomahawks, and sledges, and waited for the coming of McParlan, intending to inveigle him down there on the track and kill him, avoiding the use of firearms in order not to attract the policemen around the station.

Meanwhile McParlan was travelling towards Shenandoah on the evening train, his suspicions aroused from Kehoe's failure to join him as agreed, and they grew, when he was not met as usual at the station by five or six comrades to discuss the news and have a drink. He went into the saloon of a member whom he found so nervous and excited that he could hardly open the bottle of porter called for. Walking on he met another member, ordinarily friendly, who hardly spoke to him, then another, Sweeney, who was less cold but of whom he was so suspicious, that, as they went on together, he invented some excuse to make him walk ahead lest he should receive

* Linden was assistant superintendent of the Pinkerton Agency in Chicago, was sent to the anthracite region and became captain of the Coal and Iron police, his calling of detective being known only to the few whose guiding hands were in the enterprise.

a blow from behind. He kept his hand on his revolver ready to meet an attack. Arriving at McAndrew's he noticed two Mollies on guard and that his friend was nervous and uneasy. Sweeney went out, came back again, and threw a little piece of snow at McAndrew as a signal for action to which the latter replied, "My feet are sore; I guess I will take off my boots", which was as much as to say "I have abandoned the project." With truth did McAndrew tell McParlan next day, "I saved your life last night." McParlan, on the alert, knew something was up and after a question about the meeting said good-night and started for his boarding house but not by his usual route, taking instead a byway through a swamp. He slept little for he was constantly on his guard against an attempt at assassination.

Next morning there was no sign of a convention and McParlan made up his mind to go to Girardville and demand of Kehoe the reason. Hiring a horse and cutter he took McAndrew with him; and two other Mollies in a similar conveyance started after them. "What does this mean", asked McParlan? "Look here", was the reply, "you had better look out, for that man who is riding in that sleigh behind you calculates to take your life. Have you got your pistols?" "Yes", said McParlan. "So have I", returned McAndrew, "and I will lose my life for you. I do not know whether you are a detective or not but I do not know anything against you. I always knew you were doing right and I will stand by you. Why don't they try you fair?" Then McAndrew told of the plot of the previous day adding, "You will find out that you are in a queer company this minute." "I do not give a cent", replied McParlan, "I am going down to Kehoe's." To Kehoe's they went. Kehoe was surprised to see McParlan still alive in company with the men who had agreed to kill him. Yet they fell to discussing the burning question when Kehoe intimated to him that he had learned his true character from Father O'Connor. On McParlan's determining to go to see the priest at Mahanoy Plane, a number of Mollies went along. The one to whom the killing of the detective was assigned got too drunk to make the attempt; but on their return to Shenandoah McAndrew would not permit McParlan to go to his boarding house for fear of assassination but insisted that he should sleep in his (McAndrew's) quarters.

Having failed to find Father O'Connor when he left Kehoe's, McParlan made a second unsuccessful attempt on the next day, but not caring to pass another night at Shenandoah he went on to Pottsville. "There", he said to Captain Linden, "I have come to the

conclusion that they have had a peep at my hand and that the cards are all played." Shadowed by Linden, he went on the following day to Mahanoy Plane, and had a long talk with Father O'Connor, learning that not only O'Connor, but two other Catholic priests as well, believed that he was a Pinkerton detective in the employ of the Reading Company. Satisfied that his mission was generally known he returned to Pottsville that evening and next morning (March 5 or 6) left for Philadelphia, ending his experience of nearly two years as a Molly Maguire.

A word here should be said concerning the position of the Roman Catholic clergy. Father O'Connor's aversion to McParlan was not due to any love for the Molly Maguires. On the contrary he had denounced them from the pulpit and read only a short time previous the pastoral letter of Archbishop Wood excommunicating all lawless societies and especially the Molly Maguires. But Father O'Connor looked upon McParlan as a stool-pigeon, egging his associates on to crime in order to enhance his own glory and profit as a detective.

Wood was the archbishop of Philadelphia and had almost from the first been cognizant of and sympathetic with the means which Gowen employed to bring the Molly Maguires to justice.

McParlan was the chief witness for the commonwealth in the trial of the murderers of Yost. The Molly Maguires knew Jim McKenna, a man with bushy red hair and rough dress, a brawler and a roysterer, "the biggest Molly of us all". They saw before them in the witness-box James McParlan, a man slightly built but muscular, of fair complexion, closely cut dark chestnut hair, above a broad full forehead and grey eyes. Dressed plainly in black, wearing spectacles, with an intelligent and grave countenance and gentlemanly bearing, he resembled a college professor rather than a rowdy, frequenting bar-rooms and saloons. McParlan told his wonderful story slowly, without an attempt at theatrical display, and he was listened to with breathless interest by judges, attorneys, prisoners, and officers of the law. He remained upon the witness-stand for four days and instead of being shaken by the searching cross-examination to which he was subjected, he was able to add evidence which told against the prisoners and which had been objected to on his examination-in-chief. Accurate and truthful, he excelled as witness as he had as detective and, when he finished his testimony, the case of the commonwealth was won.

McParlan testified in a number of subsequent cases. More of the Mollies turned state's evidence and proof was piled upon proof. Conviction after conviction for murder followed and death sentences

were pronounced. Many of the cases were taken up to the Supreme Court on writs of error with the result that the sentences of the lower courts were affirmed.

On June 21, 1877, at Mauch Chunk four Molly Maguires were hanged, three for the murder of Jones, one for the murder of Powell in 1871. At Pottsville six were hanged, five for the murder of Yost and one for the murder of Sanger. In the meantime arrests had been made of Mollies who had committed murders previous to 1875. For the killing in Columbia County of a mine superintendent in 1868 three were convicted and on March 25, 1878, were hanged at Bloomsburg. For killing a breaker-boss in 1862 the mighty Jack Kehoe was found guilty of murder in the first degree and on December 18, 1878, was hanged at Pottsville.

In all, nineteen Mollie Maguires were hanged; a greater number for lesser crimes than murder received various sentences of imprisonment. The majesty of the law was vindicated. The Molly Maguires were crushed. Never did the society reappear in the anthracite region. The weapon of coolly devised and violent assassination was never afterwards employed on the part of Labor. The region did not again suffer from the lawlessness which had prevailed there from 1865 to 1875. That this result was accomplished, not by vigilance committees and lynchings but by the regular, patient, and considerate process of law, was due to Gowen, McParlan, Parrish, the bench of Carbon, Schuylkill, Columbia, and Northumberland counties, and the lawyers who acted for the commonwealth.

The racial characteristics shown in this story are worth a passing note. All the Molly Maguires were Irish. McParlan who exposed them and served his employer with stanch fidelity was Irish, and Gowen, to whom the greatest credit is due for the destruction of the society, was the son of an Irishman.

A peculiar feature stands out, differentiating the Molly Maguires from any criminal organization (so far as I know) of any other peoples of the Indo-European family. We read of strong drink and carousing, of robbery and murder, but nowhere, during the orgies of whiskey, of dissolute women. We read of wives and families, of marriage and the giving in marriage, of childbirth but nowhere of the appearance of the harlot. The Irishman, steeped in crime, remained true to the sexual purity of his race.

The characteristic failings of the Celts, as the ancient Romans knew them, were intensified in their Irish descendants by the seven centuries of misgovernment of Ireland by England. Subject to tyranny at home the Irishman, when he came to America, too often

translated liberty into license and so ingrained was his habit of looking upon government as an enemy, that, when he became the ruler of cities and stole the public funds, he was, from his point of view, only despoiling the old adversary. With his traditional hostility to government, it was easy for him to become a Molly Maguire, while the English, Scotch, and Welsh immigrant shrank from such a society with horror.

JAMES FORD RHODES.

DOCUMENTS

1. Letter of Major-General Johann Kalb, 1777.

FOR the following letter, written by General Kalb to the chief clerk of the French War Department, we are indebted to Mr. Reginald G. Marsden of London and to Professor Charles M. Andrews of the Johns Hopkins University. It was found in a body of letters captured in the *Venus* prize, preserved among the papers of the High Court of Admiralty. It is in a bundle designated, in accordance with the official arrangement hitherto prevailing, as "Unarranged Miscellanea", bundle 1286.¹ The collection of 441 bundles designated as "Unarranged Miscellanea" contains a great amount of material that at one time or another came into the hands of the registrar of the Admiralty Court, but was sent to the Public Record Office in 1863-1865.

The interest of the letter lies chiefly in the light it casts on the relations between Kalb and Lafayette from the time when the latter was introduced to Deane to that of his departure from France. These relations are here stated, from Kalb's point of view, not more explicitly, perhaps, than in his letter to his wife as published by Kapp,² but with different details and, in the earlier part of the story, with a greater amplitude. The reader will observe that, whereas Kapp obviously regards Lafayette as going to America under the aegis of Kalb, and Doniol³ inclines to regard Kalb as proceeding under the aegis of Lafayette, the present document supports the view that their resolves to go, and their status in going, were mutually independent. It also supports Mr. Tower's opinion that, though the government connived at Kalb's departure, it did not connive at that of Lafayette.

A Monsieur
Monsieur de Saint Paul, Chef des Bureaux
de la Guerre a la Cour de France.

A L'ARMEE DES ETATS UNIS
DE L'AMERIQUE

le 7 novembre 1777

Si depuis longtems je n'ay pas eu l'honneur de vous écrire, Monsieur, ce n'est pas que j'aye oublié ny que je puisse jamais oublier les marques

¹ We are not yet able to give the designation it will bear in the new system of arrangement.

² *Life of John Kalb*, pp. 103-108.

³ Kapp, pp. 86, 87; Doniol, *Histoire de la Participation*, II. 377.

de bonté et d'amitié donc vous m'avez honoré de tout tems, et donc je vous demande avec instance la continuation pour moy et pour ma famille, surtout si elle étoit privée de me revoir pendant quelque tems par mon acceptation d'une commission de Major Général dans l'armée Continentale.⁴ N'attribuez mon silence qu'à l'incertitude ou le Congrès a laissé pendant long tems les officiers françois arrivés avec moy ou en même tems s'ils seroient employés ou non, le refus qu'il a fait enfin de tous ceux qui ne parlent pas la langue du Pays et l'incertitude si je devois (presque seul de ma band) accepter ou refuser le Grade qui m'étoit offert par une voix unanime du Congrès. Je craignois d'un coté d'être blâmé en france de n'avoir pas suivi le sort de ceux qui y returntent, et de l'autre d'être taxé d'inconsequence pour avoir entrepris un voyage long et pénible sans remplir l'objet pour lequel je l'ay fait, pouvant rester même avec distinction par les sollicitations qui m'en ont été faites. Je suis donc convenu avec le Congrès, et cela par écrit, qu'en servant je me reserverais la faculté de quitter leur service si la party de rester ici étoit désapprouvée en france, soit par les ministres, soit par mes amis, de même que si par désagrément ou autrement je croirois avoir des raisons de m'en retourner.⁵ Ces conditions m'étant accordées et l'assurance donnée du commandement d'une Division, j'ay été à l'armée pour scavoir si le General Washington, ny aucun des officiers généraux Americains aux quels mon arrivée pouvoit fait tort, ny avoient point d'objection à faire. J'y restay trois semaines, et sur l'assurance du Chef que mon service [ne] pouvoit être qu'agréable à l'armée je fis mon équipage et je viens de rejoindre au camp de White Mash a 13 milles de Philadelphia. Le Congrès croyoit que mon refus d'abord provenoit de mécontentement d'avoir donné la préférence sur moy a M. le marquis de la Fayette auquel ils avoient donné le grad de Major General sans appointment et sans commandement, et m'offroit d'antidater ma commission à la sienne,⁶ mais j'ay refusé cet article et n'ay voulu l'avoir que de même date (elles sont de 31 Juillet)⁷ a fin qu'il soit en mon pouvoir de lui laisser prendre rang sur moy de s'être trouvé à la Bataille de Brandywine pres Wilmington. Lorsqu'on ne m'avoit pas encore formellement engagé à rester. L'amitié dont il m'honore depuis que j'ay fait sa connaissance, et celle que je lui ay voué fondées sur ses qualités personnelles, m'engagent à cette déférence pour lui. Personne ne merite mieux que lui la considération dont il jouit ici. C'est un Prodigie pour son age, il est plein de valeur, d'Esprit, de jugement, de bon procédé, de sentiments de Générosité et de Zèle pour la cause de Liberté de ce Continent. Sa Blessure va très bien. Il vient de rejoindre l'armée pour ne pas perdre d'occasions de gloire et de danger. J'ay appris que sa famille a été persuadée que j'ay eu part au party qu'il a pris de venir en Amérique. Je dois me justifier de cette imputation, supposé qu'elle ait eu lieu, et je serois bien aise de le faire par votre moyen, si vous avez occasion d'en parler, ou s'il en a jamais été questions vis à vis les ministres, ou de vous, Monsieur. Je vais donc vous

⁴ *Journals of the Continental Congress*, VIII. 746.

⁵ *Id.*, IX. 769. For his letter of August 17, 1778, announcing that the ministry, the Marshal, and the Count de Broglie had stated their approval, see Kapp, p. 307.

⁶ *Id.*, VIII. 747, erased passage.

⁷ *Id.*, IX. 769. "That the Baron de Kalb's commission be dated the same day with that of the Marquis de la Fayette, [agreeable to the request of the Baron]". The last seven words were added to the journal by John Hancock.

faire le détail de ce que j'ay scu en fait sur cela. M. le V^{te} de Noailles et M. le M^{ie} de la fayette me sont venus voir au commencement de [novem]bre 1776 (Je n'avois pas l'honneur de les connoître avant) pour me dire que M. le Duc D'Ayen⁸ consentoit à ce qu'ils proposassent tous deux à M. Deane leurs services pour l'Amérique, si on leur accordoit le Grade d'Officiers Generaux, me firent quelqu'honnêteté sur ce qu'ils avoient appris de mon arrangement avec l'agent Américain et de la plaisir qu'ils aur[oient] de servir dans la même armée que moy, et finirent par me prier de les presenter quelque jour a M. Deane, ce que je promis de faire à leur commodité. Au bout de quelques jours M. le Viscomte de Noailles m'écrivit qu'il a abandonné le projet de passer en Amérique. M. le Marquis de la fayette, au contraire, est revenu plusieurs fois, je l'ay présenté a M. Deane et luy ay servi d'interprète pour sa proposition, toujours disant que M. le [Duc] D'Ayen le desiroit et y consentoit. Nous nous voyons tous les jours. Il venoit chez moy ouvertement et sans le moindre mystère, ne devant pas en soupconne jallois de même chez luy a l'hôtel de Noailles, et l'on me faisoit entrer sans difficulté, lors même que Madame de la fayette étoit avec luy. Je n'aurois donc jamais du imaginer que toutes ses démarches se faisoient a l'insu de sa famille. À la fin du même mois de [novem]^{bre} il signa sa convention avec M. Deane—(il est vray que c'est moy qui a leur requisition l'ay fait et écrit). Je parti de Paris le 8 X^{bre} pour m'embarquer au havre. Je pris congé de M. de la fayette, il me dis, jusqu'au revoir en Amérique. Mon embarquement n'ayant pu avoir lieu, je revins à Paris et pendant un tems il n'etoit plus question de ce voyage. Au mois de fevrier 1777 M. Deane reprit son Projet de me faire partir, et M. le Marquis de la fayette voulant etre de la partie, et craignant des delais trop longs pur son impatience, il proposa d'armer un vaisseau à ses propres dépens, ce qu'il fit sans que je m'en sois mêlé le moins du monde (car j'eusse tout aussi bien attendu le vaisseau que M. Deane vouloit faire armer pour moy). Il fournit [word illegible]⁹ qu'il en a chargé de l'argent, le fait partir pour Bordeaux, et luy même part pour Londres avec M. le Prince de Poix,¹⁰ pour icy rester qui jusq'a la reception des nouvelles de son vaisseau dez qu'il seroit prêt a mettre à la voile. Je luy ecrivais sur cela a l'adresse de M. le M^{ie} de Noailles, Ambassadeur en Angleterre, d'apres les lettres que j'avois recu de Bordeaux. Il revint le 13 ou 14 Mars à Paris, ou plutot à Chaillot¹¹ (sur prétexte d'éviter une scène d'attendrissement et d'afflictions à Madame de la fayette) et nous partimes ensemble de chez moy (ou il s'est rendu le jour même, sa voiture y ayant été envoyée deux jours avant) le 16 Mars à midi. Mon etonnement fut extrême, lorsqu', en arrivant à Bordeaux, il me confessa que son départ, aussy bien que son projet de servir l'Amérique étoit ignoré de toute sa famille, et qu'il alloit envoyer un courrier à Paris pour apprendre l'effet que ses lettres laissées pour les en instruire auroient produit. Son courrier revint le 25 au matin avec des lettres effrayantes de ses amis, sur la colere du Roy, et surtout de celle de M. le Duc D'Ayen. Mon avis étoit qu'il abandonna son projet, qu'il returna sur le champ à Paris, et qu'il chargea ses armateurs du soin de son vaisseau. Mais tout ce que je pû gaigner fut de

⁸ Lafayette's father-in-law.

⁹ Lieutenant Dubois Martin.

¹⁰ Lafayette's cousin, and the commander of his regiment.

¹¹ Kalb's suburban place of residence.

retacher dans une autre Port ou il put recevoir la confirmation des Ordres du Roy, que les lettres de ses amis luy annoncoient et l'on convint du Port de St. Sebastian en Espagne, ou il recu un Courier de M. le Comte de Fumel, commandant à Bordeaux, sur quoy je l'ay persuadé de se rendre aux ordres de Sa M^{ie} et au voux de sa famille. Il partit donc sous la condition expresse que je ne [illegible] pas remettre à la voile que je n'eusse recu de ses nouvelles, parcequ'il feroit les derniers efforts pour avoir la permission de partir. Je ne pus me refuser à une demande si raisonnable, d'autant plus que le vaisseau luy appartenloit en propre. [. . .] qu'on permettoit tacite-ment son entreprise et nous partimes aussytôt le 20 avril. Quant à ses affaires d'argent et de depenses je ne m'en suis mêlé que pour luy conseiller l'oeconomie et si j'ay endorssé à Charlestown les lettres de change de 28000^l qu'il a tirées sur son homme d'affaires à Paris ce n'etoit que parce que sans cela il n'auroit pû toucher (à cause de son age) de l'argent. Le correspondent de M. Raimbaux¹² ne voulant pas luy en fournir à compte de la cargaison de son vaisseau, qu'il n'eut auparavant la main levée de l'armateur de Bordeaux conformement à un acte passé entre M. le Marquis et luy. Le tout a été recu par luy et il en a disposé comme il l'a jugé à propos. Quoiqu'il soit riche, je desirois pour luy qu'il donnoit dans des occasions moins carriere à sa Generosité et a sa liberalité. Je n'ay pas manqué de luy en parler souvent. Le peu d'empllettes qu'il m'avoit prié de luy faire, nos frais de voyage en commun de Paris à Bordeaux et ceux de Charlestown à Philadelphie, avec ce que je luy ay remis quelque fois ou payé pour luy a été compté et compensé par un compte definitif fait double entre nous le 1^{er} 7^{me} dernier par lequel il me redevoit 388^l 18^s en espèce dont il m'a fourny un Billet à mon ordre sur son homme d'affaires et trente piestres ou Dollars en Papiers monnoye qu'il m'a payé. Ces details font ma lettre plus longue que je n'aurois voulu et je crains que cela ne vous ennuye, mais je desirois vous faire voir ma conduite dans cette affaire. Je ne vous parleray pas du mécontentement que M. le V^{te} de Mauroy, M. de Lesser du Reg^t d'Aunis, M. le Ch^r de fayolle du Reg^t de Brie et d'autres qui s'en retournent, feront peutêtre paroître de ce que j'ay accepté du service, pendant qu'on n'a pas voulu leur en offrir, et dont ils paroisoient même ne pas se soucier. Ils ne pourront pas dire néanmoins que je ne me sois pas employé vivement à leur faire accorder le remboursement de leur frais et les moyens pour leur retour. Comme je ne doute pas que quelques uns n'imaginent que j'aye négligé leurs intérêts pour ne songer qu'à moy et qu'ils feront peutêtre une espece de plainte de moy à M. le Ct de Broglie, j'ay prié M. de Valfort du Reg^t d'Aunis de dire sur cela tout ce qu'il scait, et il scait mieux que Personne ce que s'est passé et ce que j'ay fait. C'est un homme d'honneur et de bon sens qui voudra bien me rendre justice à cet égard. Je n'en diray pas d'avantage si non que je n'ay aucun reproche à me faire.

Je vais finir ma lettre par vous dire quelques nouvelles d'icy de notre guerre, et des bons et mauvais succès. Vous avez sans doute déjà appris en leurs tems les nouvelles de l'abandonnement de Ticonde-roga pas les Américains à l'approche des Anglois; de la Bataille de Brandewine près la Rivière Delawar; de la prise de Philadelphie par

¹² Of the firm of Reculez, Basmarins, and Raimbaux, shipping-merchants of Bordeaux.

le General Howe ou plutôt qu'on luy a donné, et de l'attaque fait a Germantown, ou sans un malheureuse méprise et le Brouillard les Anglois eussent été complètement battus. Je ne repeteray pas ces faits, les Anglois n'auront pas manqué de les faire sonner et surement au dela la vérité. Pour les Balancer nous avons eu l'avantage en deux actions sur le General Burgoyne, et enfin il a été obligé de capituler le 14 8^{bre} et se rendre Prisonnier de guerre avec toute son armée, forte encore (après toutes ses pertes) de 5700 hommes, obligé de laisser toute son artillerie de 40 pieces du Bronze, tout son camp, toutes ses armes et ammunition, d'etre renvoyé en Angleterre et ne plus servir contre l'Amérique qu'ils ne soyent echangés. Près Philadelphie nos Galères ont fait sauter le 23 l'auguste vaisseau de Guerre de 32 pieces qui ont voulu s'approcher des fortes Miflin et red-bank sur Delawar, pour soutenir l'attaque que les troupes de Howe detachés pur cet effet dans la jersey devoient faire. Cette attaque a été repoussé avec beaucoup de perte pour les ennemis. Le Colonel Donop Hessois avec plusieurs officers 80 soldats et trois pieces de canon ont tombés entre nos mains. Le Colonel étoit blessé et est mort depuis.

Hier nos eumes la confirmation que les troupes de la Nouvelle Angleterre viennent d'enlever aux ennemis dans l'isle de Rhode Island 800 soldats 24 pieces d'artillerie et une quantité immense de sel.

Depuis la capitulation du Burgoyne le General Clinton qui remontoit Hudsons river pour aller au secours est rentré a la Nouvelle York avec son corps. Ce corps et celuy du General Howe qui ne forment peut-être pas actuellement 12000 h. composent toutes les forces de la grand Bretagne dans le continent Septentrional. Ce que leur reste en Canada doit être peu de chose. Le Garnison de Ticonderoga ne doit plus se compter avec leur forces, parce qu'il faudra de nécessité qu'elle se rendre tot ou tard.

Le Général Howe se borne actuellement à se tenir renfermé a Philadelphie et s'y fortifier. s'il ne peut pas prendre les fortes Miflin et red-bank pour pouvoir faire arriver des vaisseaux au quay de la ville, je ne prevois pas qu'il puisse tenir longtems cette Position. il est même possible de lui couper tout retraite, s'il attend que nous ayions recu le renfort qu'on attend du Nord.

Tous ces avantages coup sur coup vont porter la consternation en Angleterre, reveiller et augmenter le party de l'opposition et peutêtre occasionner une Revolution, au moins un changement dans le Gouvernement et Ministère. Ce moment seroit, je pense, très favorable à déclarer la guerre à cette nation. Suppose que la france y fut disposée, le découragement ou tous leurs mauvais succès ici vont les jeter, leurs nombreuses armées en Amerique presqu'entièrement detruittes, sans possibilité de les remplacer, s'ils ont une guerre en Europe, leurs conventions avec les Princes d'Allemagne finis ou à renouveler a force d'argent, leurs dettes portées au comble et le commerce tombé, tous cela offre l'occasion la plus favorable, et qui ne se retournera peutêtre plus, a leur faire la guerre. Si la france reconnoissoit l'indépendence de l'Amérique et qu'elle soutint cela par l'envoy de douze vaisseaux de ligne dans ces Parages, cette flotte jointe par les fregates d'ici et les armateurs Americains, auroit bientot nettoyés ces mers, ou forceroit l'Angleterre à souscrire a l'indépendence, et la france luy seroit la loy. Quelle gloire, et quel bien n'en resulteroit il pas pour la marine et le commerce du Royaume, un traité de commerce et d'alliance avec cette

nouvelle republique seroit le prix du secours que le Roy leur auroit accordé. Ce sont des choses à voir avec leurs agents à Paris. J'ignore s'ils sont autorisés à faire des propositions ou s'ils en ont faites. Je ne serois pas fâché que vous voulussiez faire lire ma lettre à M. le C^{te}. de Broglie; il en sait beaucoup sur ces matières là, il verroit ce que je ne puis pas voir, en parleroit à qui il conviendroit. Si ensuite on vouloit me donner des instructions circonstanciées avec les pouvoirs d'en conférer avec le Congrès, je m'en chargerois volontiers mais les lettres sont si longtems à aller et venir et si peu sûres d'arriver que les affaires ne pourroient que beaucoup souffrir par là. Tout ce que je vous dis, m'est dicté par le zèle qui j'ay pour le service de mon maître,¹³ et pour la juste cause de ce Pays cy. Vous en ferez l'usage que vous jugerez à propos.

J'ay l'honneur d'etre avec le plus sincere et le plus parfait attachement, Monsieur, votre très humble et très obéissant serviteur

LE BON DE KALB

P. S. Si le Roy avoit dessein de faire la guerre, ou pourroit au moment ou avant de la déclarer faire enlever les 5700 hommes en question, Lorsq'ils seront renvoyés en Angleterre. leur départ d'icy ne peut pas être très prochain. Je vous le manderay aussyot qui je pourray en être informé, aussy de leur escorte.

2. Letter of the Marquis of Rockingham respecting Defense against John Paul Jones, 1779.

THIS letter, for which we are indebted to Professor Charles M. Andrews, was addressed to Lord Weymouth as secretary of state. A letter of Lord Rockingham to the marchioness, September 23, 1779, printed in Albemarle's *Rockingham*, II. 381-383, covers in part the same ground, but the present letter is fuller, and dwells less on the personal and more on the public aspects of the affair. It exhibits well the alarm caused by Jones's exploits. Rockingham had been vice-admiral of Yorkshire from 1755 to his dismissal in 1763, and again, under his present appointment, since December, 1776; he had been high steward of Hull since 1766. The original letter is in the Public Record Office, in State Papers Domestic, Military (Militia), vol. 33.

My Lord

I received an Account from Hull on Wednesday Night; stating the Alarm they were in from the Appearance of Paul Jones and his Squadron off the Mouth of the Humber and also representing the defenceless State in which the Gentlemen and Merchts of Hull considered the Town

¹³The Count de Broglie, to whom Kalb was *aide-maréchal des logis*. His project for being made "stadtholder" of the United States, and Kalb's position and course in relation to this intrigue, are sufficiently set forth by Kapp, and by Dr. Stillé in the *Pennsylvania Magazine of History*, vol. IX. "Si je repars pour l'Europe c'est en grande partie parcequ'il y a impossibilité de faire réussir le grand projet dont je me suis occupé avec tant de plaisir"; Kalb to Broglie, October 11, 1777, cipher letter in Stevens, *Facsimiles*, no. 755.

and Shipping. The Honour which his Majesty conferr'd upon me in appointing me Vice Admiral of the Maritime Ports of the County of York, has indeed no Power nor any duty, and my Object in taking it in the late Kings Time, was to prevent its falling into Hands who might trouble and incommod many Gentlemen on the Coast—by reviving old Obsolete Claims of Rights in regard to Wrecks on the Coast etc. etc. The Town and Corporation of Hull several Years ago had done me the Honour to appoint me—to a Nominal Office—of High Steward of Hull. Tho' no real Power was placed in me, yet the very Imagination that such High Offices did contain Power, appeared to me, to give a Sort of Weight to me, which might possibly to be of Some Service. I therefore set out for Hull as early as I could on Thursday Morning and arrived there that Night.

Two Gentlemen from Hull had been dispatched from thence on Wednesday Night, by whom Your Lordship and his Majesty's Ministers will have been fully informed of the State in which the Gentlemen, Merchts, Trinity House, and inhabitants considered their Town and Shipping.

The Mayor called a general Meeting on Friday Morning in consequence of my coming. They informed me of the Steps they had taken and desired me to Suggest what I might think adviseable. I shall not conceal from Your Lordship, that I expressed very strongly my thoughts, that the Safety and Security of the Town and Port of Hull had been long neglected. I shall not hesitate to say, that from an Attack by Frigates or Ships of War, it was entirely without defence: the Artillery *in the Fort*—its *only defence*—were unserviceable both from the Carriages being entirely rotten, and also from most of the Guns which carried any Weight of Metal being honeycombed and dangerous to Use. New Carriages had been order'd for some of the Cannon, but they were at Woolwich to be ironed, and indeed if they had been at Hull, very few of the 18 Pounders and 9 Pounders could have been mounted on them, as Those Cannon were so universally reckoned unserviceable and dangerous, even tho' some of them had on a late Report been deemed still capable of Use.

A Ship of 60 Guns can lay, *even at low Water*, within less than 400 Yards of the Town. In Paul Jones's Squadron the largest Vessel was a 40 Gun Ship, so that whatever Force he had could have come up.

It appeared to me, that not only from the Information of a Man who had been put by Paul Jones into a prize and who had assisted very principally in securing the men and bringing her in with the Assistance of a Hull Pilot, but also from the Size and Number of Ships in Paul Jones's Squadron, that there could not be any Number of Soldiers or Marines on Board the Squadron, or that with what Seamen he could have spared from the Ships, that any considerable Force could be landed by Paul Jones, which the Yorkshire Reg't of Militia under Col: Harvey would not be as able, as they were willing and desirous to repell. Part of the Northumberland Militia were also at Beverley and the Neighbourhood, so that on any attack on Shore from Paul Jones's present Force, I did not conceive much danger to the Town and Port and Shipping of Hull could ensue. I conceived very differently in regard to an attempt being made by the Squadron coming up Humber. I therefore pressed as much as I possibly could that every Effort should be made to prepare Batteries and get what Artillery could be had. I

must observe to Your Lordship that at the Meeting on Friday Morning, Intelligence came, that the Serapis and the Countess of Scarborough had been seen shortening sail, covering the Baltic Fleet and waiting for Paul Jones, who was then very near to them. A later Intelligence also informed us, that the Serapis and the Countess were seen to tack and to stand to meet Paul Jones and his Squadron and that the Engagement was begun, but it growing dark—the Event of a very Warm Action was not known. Great Hopes were entertained—Great Confidence in the Ability and Valour of Capt Pearson of the Serapis and of Capt Percy of the Countess of Scarborough—the Serapis was a 44 Gun Frigate, the Countess of Scarborough one of the Armed Vessels hired, carrying 20 Guns, but in fact not capable of making Use of more than Five Guns on a Side.

The Unfortunate Event of their being Captured after a most Severe Engagement, came to our Knowledge at Hull on the Friday Evening, when the Mayor immediately called a Meeting, and at which the Proposition of preparing Batteries was unanimously adopted.

I was informed that a Vessel was detained in the Port of Hull on the Appearance of Paul Jones's Squadron, on which there was, 20 Eighteen Pounders, Some 12 Pounders and a few 9 Pounders, which were cast at the Foundry near Rotheram and were going according to Orders from the Ordnance to Woolwich. I ventured to Suggest and to press that the 20 Eighteen Pounders particularly should be required to be landed, and that Carriages should immediately be prepared for them. It was assented to by the Meeting, but if the Stopping of them was wrong, I must beg that it may be consider'd as entirely my Act. It was said at first, that it would require Seven or Ten days to make Serviceable Carriages for them, but in less than half an Hour, Two of the Capital Block Makers in Hull came to us at the Meeting, and contracted to deliver the 20 Carriages, by Nine oClock on the next day's (Saturday) Evening. I had the Satisfaction to see Several of these Carriages ready for Use by 12 oClock on the Saturday Morning, and the whole I believe was or would have been completed within the Time. The Guns were taken out of the Ships Hold on the Saturday Morning and some of them mounted and carried to the Artillery Ground where there formerly had been a Battery, and which in a few Hours would have been ready for Use. A Battery on one of the Curtains in the Garrison was also making ready for these New Guns.

The Account which was received at Hull on Saturday Evening, that Paul Jones's Squadron was seen standing off the Coast and supposed with the Intention to go to Gottenburgh, as a very fresh Wind served him, occasioned some Slackness in accelerating the Works, but I have nevertheless Hopes that they were completed Yesterday Evening, and I must Hope and earnestly recommend, that not only the above Preparations should continue, but that also Batteries at Marfleet and at Pauls¹ should immediately be ordered. The Batteries formed by the new Guns would have been served by the Sea Captains and Seamen of the Port of Hull, with the Assistance of Capt. O'hara, the regulating Capt: and who in every respect was ready to be of all possible Assistance. Col Morris and Capt Terrot of the Garrison were also equally ready, and the Gentlemen and Merch^{ts} and Inhabitants of Hull were quite Alert, and pleased with the thoughts of some better Hope and Mode

¹ Both places are on the north side of the Humber, a few miles below Hull.

of Defence than had at first appeared. One Gentlemen, Mr Standridge, had offered on Friday Morning to erect and command and Serve with the Seamen belonging to his Vessels, a Battery which he would erect at his own Expence, and on which some of the Hull Ships Guns should be mounted. I understand there are in Hull many Ship Guns, but being in general only 3 Pounders, they would not have been of much avail. Mr. Standridges Proposition was negatived on the Friday Morning, but probably would have been afterwards adopted.

Some Gentlemen at the Meeting thought, that the assent of Govt: was necessary. I did not press the Matter at that Time, but desired Leave to offer to make a Present to the Town, of Some 18 Pounders, providing it met with his Majesty's Approbation, and which Guns I proposed should always be looked on as belonging to the Town and Corporation, to be manned and Served by their own People, and formed into a Battery either at Marfleet or at Pauls.

I must therefore desire Your Lordship to lay this my humble Request before his Majesty, and it will make me happy to hear that his Majesty would graciously permit it, as I think that it would give Pleasure to the Town to have a Battery in any degree respectable, and which I doubt not would be well served, whenever the Occasion of an Enemy Fleet made an Attempt to come up Humber.

I have wrote a Letter to L^d Amherst,² and shall again shortly trouble his Lordship in regard to a Battery at Marfleet and at Pauls. Marfleet is within Two Miles of the Garrison, and would therefore be easily protected from any Attempt by Land, from the Assistance which the Reg^t in Hull could give it. At Pauls it would require *something of a Fort* and Battery as it is Ten Miles from Hull, but my Lord, tho' I see the absolute Necessity of securing the Port of Hull, agt the Attack of Frigates etc. by Sea, Yet I should not call upon Government for a large Expence in the Situation of the Finances of this Country. A Few thousands expended, would afford much Security to that Important Port.

Ever since the Year 1759, when I was there, I have always conceived that Batteries at *Pauls* and at Marfleet were necessary. At present it is become still much more Necessary, as this Country has so many Enemies by Sea, and has not a Naval adquate to the Security and Protection of Every Part of the Coast, at *all Times*.

The Report of Paul Jones's Squadron which was received on Saturday Evening, was fully confirmed on Sunday. I had the Pleasure also to hear that in the Night a Frigate of 36 Guns, one of 28 the Cerberus, and an Armed Ship of 40 Guns and three Sloops of 16 Guns Each had passed Spurn head standing to the Northward. It is possible they may overtake Jones's Squadron, as both his own Ship and the Serapis were so mauled as that they can scarce make much Way. There is also another Circumstance which may retard him, as he probably in his Course to Gottenburgh may fall in with our Second Baltick Fleet which was to sail in Six days, after that Fleet which is just arrived. It is happy that our Frigates may be so soon after him, as it may tend to save the 2d Baltick Fleet which is of Even larger Value than the one which is Arrived. I must nevertheless add, that by the Account of Five men who escaped in a Boat from Paul Jones's Ship, when they were shifting the Prisoners after the Action, the

² Commander-in-chief of the army.

Squadron under Paul Jones is not far inferior in Force to the Frigates etc. which are in pursuit of him. If Paul Jones should escape and get to Harbour and refit his Ships, He will be of considerable Force, and I should imagine the Eclat of his having taken the Serapis would occasion the French to place more and more Confidence in him, and he may be entrusted by them with a much more formidable Force, than that with which he has lately appeared.

In that View I should hope and humbly reccomend that this Northern Coast should be protected by Ships at Sea, and that no practicable Precautions should be omitted at Land.

May I beg that Your Lordship will state the particulars of this Letter, in the most respectful and dutiful Manner, to his Majesty. If I presumed too much in Stopping the Cannon, I humbly hope his Majesty will be graciously pleased not to dissapprove it. If in any other Transaction in this Business, I have taken upon me more than I ought, I must hope and trust that his Majesty will put the most favorable Construction.

I have the Honour to be

My Lord

With great Regard

Your Lordships

Most Obedt and Most Humble

Serv^t

ROCKINGHAM

WENTWORTH

Tuesday M:

Sept. 28th 1779

Paul Jones's Squadron being gone and no further Business appearing for me at Hull, I set out late on Sunday Evening and got here on Monday.

[Endorsed] Wentworth 28 Sept 1779
Marq^s of Rockingham
R 1st October
one inclosure.

[On a half sheet of paper accompanying the foregoing is]:

By the Account from the Men who left Paul Jones's Ship After the Action and who landed at Bridlington—

N B this Account came from Mr. Foster Saturday Night Sept: 2d,
Bon Homme Richard..... Paul Jones 40 Guns
Alliance..... Lundy³ 36 Do.
Pallas..... (Cottineau⁴ by Walker Acct.) 32 Do.
Monsieur 36 Do.
Vengeance Brig..... 12 Do.
Granville 12 Do.
Cutter 18 Do.

Endorsed In Lord Rockingham's
28 Sepr 1779.

³ Landais.

⁴ Cottineau.

3. Letter of John Quincy Adams, from Ghent, 1814.

THE original of the following letter, for a copy of which we are indebted to Mr. H. E. Lawrence, jr., of Yale University, is possessed by Mr. John V. Bacot of Morristown, New Jersey, a descendant of the person to whom it is addressed. Its interest lies chiefly in its spirited statement of the author's position at one of the darkest periods of the peace negotiations at Ghent.¹ Another element of interest lies in the evidence of friendly remembrance of those Americans who had been the writer's schoolmates at Passy in 1778, during his father's first mission to Europe—Cochran, a South Carolina boy, Jesse Deane, son of Silas Deane, and Benjamin Franklin Bache, Franklin's grandson.² Though the course of the latter as editor of the *Aurora* produced a complete alienation, the *Memoirs* show Deane as held in kindly regard in 1827: "I told him [Professor Richard Henry Lee the biographer] of my meeting Jesse Deane in 1824, and that I should be sorry at the publication of anything that would wound his feelings in regard to his father."³

Ch^r. B. Cochran Esq^r Charleston

GHENT 18. July 1814.

Dear Sir.

Just at the moment when I was embarking at Boston for Russia in 1809, I had the pleasure of receiving a Letter from you, by one of your friends, and strongly regretted that my immediate departure deprived me of the opportunity of acknowledging your favour, and of marking by any attentions or services which it might have been in my power to render to the Gentleman who was the bearer of your Recommendation, my value for your friendship, and my remembrance of our intimacy, formed at an age when every sentiment is equally vivid and sincere, and when the heart is naturally led to seek those attachments which are to last through life.

On my arrival at Gothenburg a few weeks since, from Russia, Lieutenant Bacot delivered to me your obliging favour of 11. March last. I had the pleasure of coming in the Ship in Company with that young Gentleman from that City to the Texel, and his return to the United States now furnishes me the occasion of thanking you for your Letters, and of recalling myself again to your Recollection.

During my residence at St. Petersburg, I have had the good fortune to meet two of our old fellow-pensioners at Le Coeur's school. One of them was Mr. David, one of two brothers, the children of French Parents, who at that time resided in London, and who had sent those two sons over to Passy to be educated in their native Country. A few years after that period, and as soon as Mr David had attained the age of Manhood he went over to America, and for nearly thirty years

¹ See Adams's *Memoirs*, II. 659, under date of July 18, 1814, and Crawford's letter to Clay, dated July 19, in Clay's *Works*, IV. 42.

² See *Works of John Adams*, III. 96, 97.

³ *Memoirs*, VI. 419; VII. 245.

has generally resided at Philadelphia. He went to Russia, with a vessel and Cargo, principally belonging to himself, and which were unfortunately lost on their return to America. I saw him often while he was at St. Petersburg and he bore among our Countrymen there, universally the Reputation of an honourable and benevolent man.

The other was an Engineer Officer in the Russian Service. His name was *Rudolphe*. I had the opportunity of seeing him only once, in the year 1810, and I have not heard of him since. I know not how it happened, but I did not recollect either his name or his person. His memory had been more faithful; for although he did not recognize my person, he remembered my name, and those of both our American Schoolmates *Bache* and *Deane*; and particularly you, about whom he enquired with so much interest, that I think his acquaintance with you must have been longer and more familiar, than with me; it has not been without some self-reproach that I have found it possible that I should have forgotten any one of our school-fellows at Passy.⁴

The object upon which I was in the first instance directed to repair to Gothenburg, and for which, by a subsequent proposal from the British Government, and assented to by my Colleagues, I am with them in this City, is as you justly observe of a Nature to engage the wishes of every true American, and the patriotic exertions of every person entrusted with a charge, so highly important to the Community. Peace upon Honorable Terms, would be a blessing of such inestimable value to our Country, that I trust that neither myself nor any one of my Colleagues would deem his life or mine a sacrifice too great to obtain it. We have unfortunately too much reason for the conviction that it is utterly unattainable; and I am happy to find in your Letter, what my knowledge of your character would indeed not have permitted me to doubt, that in your mind, Peace, upon any other than honourable terms is not an object upon which my Colleagues or I were suitable persons to be employed, or upon which the Government of the United States was prepared to employ any person. Dearly as I value Peace, and much as I know it is needed and desired by our Country, I pledge myself to you that you shall never see my name to a Treaty, no, nor to any one stipulation that shall give you cause to blush for your Country or for your friend. Yet at the same time I must admit that with this Disposition, Peace at the present moment, and I fear for a long time to come, is absolutely hopeless. Whatever the disposition of the British Government may have been at the time even when they proposed the negotiation at Gothenburg, the change of Circumstances since that time, has undoubtedly made the continuance of the War with America, a purpose of policy with them, as much as it is a purpose of Passion with their Nation. I have not myself recently been in England; but two of my Colleagues have, and their opinions coincide with the whole mass of Evidence manifested by the public Prints of that Country, by the Debates in their Parliament, and by the Acts of their Government

* [June 9, 1810.] "This evening I met . . . a Monsieur Rudolphe, a Frenchman, who told me that he had been with me at Mr. Le Coeur's school at Passy, in 1778, and enquired of our other American schoolmates of that date—Cochran, Franklin Bache, and Deane. I have no doubt that this gentleman's memory has been more retentive than mine; for I have no recollection of him, nor indeed of any one name among Mr. Le Coeur's French scholars, though I well remembered all the Americans." *Memoirs*, II. 133.

as far as they are known to us, that they are resolved to make no Peace with us at present, and none at any time but such an one, as may gratify their jealousy in the reduction of our Power; their Revenge in our Humiliation, and their Pride in our Disgrace. They have kept us waiting nearly four Months since the arrival of Mr. Clay and Mr. Russell in Europe, and their Commissioners are not yet here to meet us; in the mean time they have sent to America formidable reinforcements both of their Navy and Army, to subdue the Spirit of our Country by the terror of their Arms, and I can imagine no other motive for their studied and long protracted delays to the Commencement of the Negotiation, than the intention of waiting for the effect of their forces upon our fears. Whatever they may do, I trust in God that they will find in our Country a Spirit adequate to every exigency; and that the same blood which warmed the hearts of our fathers to resist and triumph over their tyranny, will be found still flowing in our own veins and in those of our children.

I am with great Respect, Dear Sir, your friend and very humble Servt.

JOHN QUINCY ADAMS.

4. Letter of William Henry Trescot on Reconstruction in South Carolina, 1867.

WILLIAM HENRY TRESKOT of South Carolina (for whose position in 1860-1861 see an earlier volume of the REVIEW, XIII. 528-556) was by nature a moderate man, dispassionate, and capable of taking an external view of the events which went on around him. Thus in 1867 he was well adapted to playing the part of a mediator. It is possible that Senator Henry Wilson of Massachusetts, when in the spring of that year he visited South Carolina in the course of a tour of the Southern states, had some conference with Trescot. At all events, it is plain from the following letter that he invited suggestions from Trescot, by a letter of September 1, to which the following is a reply. It is known from other portions of Wilson's correspondence that he invited suggestions from other judicious Southern men also, but it is not known that their responses are preserved.

Though Wilson in the end supported all the Congressional measures of Reconstruction, he was never an extremist, and professed a strong desire to restore peaceable feelings between the sections. In a reply to Senator Nye, in March, he had said:

These states must continue, for ages to come, to be a part of our common country; and these people, their children, and their children's children, must continue to be our countrymen. I do not consider it either generous, manly, or Christian, to nourish or cherish or express feelings of wrath or hatred toward them. At this time, when these misguided and mistaken countrymen of ours have been conquered, when we have absolutely established our ideas, which must pervade and be incorporated into their system of public policy, it seems to me

to be a duty sanctioned by humanity and religion to heal the wounds of war.

Trescot's letter, by reason of the qualities noted above and of his well-known clearness of insight and expression, is of interest and value. It has recently been acquired by the Library of Congress, Division of Manuscripts. To the chief of that division, Mr. Gail-lard Hunt, our thanks are due for permission to print.

HAZLEWOOD
NEAR PENDLETON
Sep. 8th. 1867.

Dear Sir

Your letter of Sep. 1st reached me last night. I thank you for the courtesy which suggested it and the feeling of kindness to the State which it expresses. It encourages me to ask your serious attention to the critical condition of things with us.

I believe I represent the opinions of a majority of the white people of this State but it is a majority which the policy of the Republican Party as we understand or misunderstand it—you can best say which—has rendered entirely powerless for good.

The Supplemental Act¹ has greatly enlarged the catalogue of the disfranchised. By a general phrase, the full force of which I can hardly think that Congress intended, all those who are or have been engaged in executing a general law of the State, are disfranchised. As one illustration, this includes Commissioners of Roads, of the Poor, of Free Schools. Now in the Country Districts, there is not a neighbourhood in which the most respectable citizens, the very men holding the opinions which I have expressed and who would therefore form the nucleus of a wholesome public opinion, are not disfranchised. And when you consider that not only those who held such positions during the war but all those who have ever held them are disfranchised and the other fact that it has been the invariable custom to change these officers at the end of their terms, so that their onerous but unpaid service should not press too heavily upon one set of persons, you will readily understand how large a number are now included in the disfranchiseinent and how such wholesale destruction of the white vote, disheartens and deters the few who can, from registering.

While this process has been going on with the white vote—while the hard struggle for daily bread and the disfranchiseinent of those accustomed to direct public opinion, have prevented all concert among the whites, the blacks, who when they will work, are receiving good wages and who when they will not work are being supported by the Government, have been secretly and thoroughly organized by the Union League on the distinct basis of colour. No denial of this can avail against the evidence of our daily life and the fact that although in this and other Districts, the negroes have been invited to meet the whites in their public gatherings and to select their own speakers, they respond very coldly to such invitations. They prefer the secret association of the League and although we cannot of course speak positively as to the teaching of such associations, it is impossible not to conclude

¹ Act of July 19, 1867, section vi.

from conversation with such negroes as are disposed to be communicative, that they are firmly convinced that adhesion to the League will in some way, they do not exactly know how, secure them the possession of the land of the State. To argue against such an impression is idle, especially when the argument is made by the present land owner.

From many letters before me—all from men who have earnestly endeavoured to do their duty in a spirit of the completest justice to the freedman—I will send you two extracts from different but equally important Districts—Districts too in which there it not an overwhelming preponderance of coloured voters.

"The Freedmans Bureau, the school masters and all the Radical emissaries have had the field to themselves and *they have done their work.*"

"In this District there are six Union lodges, with nearly every negro voter in the District already members with a few whites, and they have recently inserted an addition to the oath taken—that they will not vote for a white man for any office and this amendment was suggested to the negroes by a white man."

The registration which is nearly completed shews a much smaller white vote and a much larger black vote than was anticipated. Even in Districts where the white population is numerically the largest, the extension of the Disfranchisement has seriously altered the proportions of the votes and judging from the returns so far it seems not improbable that the white vote will scarcely be more than a third of the whole vote of the State.

In this condition of things there are three parties, or as only one of them is organized, I ought perhaps to say, three opinions in this State.

1. Those with whom Governor Perry² oppose the call of the Convention provided for in the Reconstruction Act. I think this opposition injudicious and calculated to aggravate rather than cure the evils which it anticipates. But as a just man I am sure you will recognize that even this opposition proceeds not from an unwillingness to comply with the conditions of the Act as the expressed will of Congress but from the grave apprehension of the dangers which the condition of things I have described, seems to threaten.

2. Those who are represented as an organized party in the Coloured Convention lately held at Columbia.³ This party is composed almost entirely of the coloured citizens of the State, the white persons belonging to its organization being an almost imperceptible infusion. Its leaders with the exception of perhaps half a dozen intelligent and respectable native freedmen, are either coloured men from other States or the white holders of subordinate government offices here. I mean no disrespect to any of them when I state the fact that they are not either in property ability or character, representatives of the people of South Carolina. The policy of this party is declared in the platform which it has published and I do not think I misrepresent its intentions when I say that it is attempting to make its support of the Reconstruction Acts, the means of forcing upon the State negro supremacy and an agrarian domestic legislation.

² Benjamin Franklin Perry, provisional governor of South Carolina in 1865.

³ The convention of the Union Republican party, which met at Charleston May 9, and adjourned to meet at Columbia July 24. Three-fourths of its members were negroes.

3. But there is a third party (I use the word for convenience) in the State which is not organized. That party believes that the issues made in the late war, have been irrevocably decided against us—that the abolition of slavery is a great political and social revolution, the consequences of which may be directed with wisdom but cannot be prevented by resistance—that the Reconstruction Act is the settlement of the late disturbances, not that which we desired, but a settlement upon which the South can renew its regular political life—that most of its conditions which are harsh and felt to be unjust, proceed as much from ignorance and misconception of the public feeling and opinion of the South as from a deliberate intention to oppress—that Universal suffrage is a mistake but that if the North refuses to accept that impartial suffrage which reconciles the interest of the Country with the rights of the individual, the only way to correct the error is to teach the freedman how to discharge his duty and so to win his confidence that he will not desire to use his power against us.

The conditions of the political life of the South are completely changed. The relations of the States to the Federal Government will never be again what we thought they were under our old interpretation of the Constitution and the question of race or colour is forever excluded in the determination of political privileges. Whatever we may think as speculators on abstract political questions, these are the conditions of the new life the State must lead. What sort of future it will make we do not know. What the Republican party will do in the development of this new life either at home or abroad we cannot anticipate. In fairness, we think, that party cannot insist upon our taking part in national politics while we are denied national representation. It cannot call upon us to support a policy which it has not declared. But we do recognize its right to call upon us to close this strife upon fixed conditions, to accept the facts which it has established in virtue of success and so to prepare and fit the State for the full and free exercise of the powers to which we will be restored.

Holding these opinions, we who hold them, have urged upon such of our fellow citizens as could register, to secure their right to vote, to vote for the Convention, to elect as far as they could the best representatives who were qualified, and in the Convention to endeavour earnestly in a fair and just spirit to frame such a Constitution as would protect the rights of all without sacrificing the interests or character of the State.

But we are met by two difficulties. The minority which differs with us and is composed of men whose characters are above reproach, whose ability and influence are beyond question say to us—Your effort is hopeless. We desire peace as much as you do. We are as willing as you can be to restore our relations to the Union and do our duty to the whole country as obedient and faithful citizens, but look at the facts around you and say whether we will be allowed to do this without consenting and aiding to establish, not the equality of the negro before the law but his absolute supremacy.

On the other hand we find the black vote of the State united and organized, bound together by pass-words and secret oaths and directed by men whose only hope of power and profit is the perpetuation of this hostility between the races and who to perpetuate it, advocate legislation against all the established interests of society. To some, to a

large extent, universal suffrage has produced this state of things, but not entirely and more as a means than an end. For I will venture to say and in proof [of] the assertion I appeal to the letter of Gen Sickles⁴ to Senator Trumbull, to the recent report of Gen Scott, the Commissioner of the Freedmans Bureau for this State⁵ and to the experience of all, black and white, engaged in agriculture—that if the races were left to themselves under the controul which the present Milit[ar]y Government exerts or the impartial administration of the laws which a restored State Government would enforce, there would be no insuperable difficulty in the way of a complete understanding. The relations of black and white have been most kindly. Negro labour has been wanted, it has been well paid and as a general rule where judiciously directed, it has worked well and the causes of complaint on either side have diminished and are diminishing.

But it is equally undeniable that the natural influence of capital on labour, of employer on employed, that influence which in the development of civilization has always existed and must always exist in every society where public and private prosperity go hand in hand, has been utterly destroyed, that negroes who will trust their white employers in all their personal affairs, whose every day conduct manifests nothing but kindness, are entirely beyond advice or influence upon all political issues. And this is owing to the secret teaching of the Union League and to the claim made by its leaders that it is the Representative of the Republican party. It teaches the freedman to be quiet now because the Conveniton will make him all powerful hereafter. It tells him that the Republican party means him to controul the white man and for that reason has given him a vote and taken it away from his white employer—that it means him to use his power of legislation to confiscate by taxation and thus secure lands which the party cannot give—that it pays the school master who teaches and the orator who excites him—that it has given him his freedom and the power to use it and that he will be untrue to himself and faithless to his benefactor, if he does not use it in his interest. Above all it impresses upon him the conviction that we, the white men of the South, are his natural enemies, that you so consider us and that you have deprived us of the commonest right of citizenship and made us aliens in our own homes for his protection.

Now it needs no prophet to predict the consequences of such a policy when put into active operation.

But these consequences are entirely unnecessary for the objects which the Republican party professes in its policy of Reconstruction. When the Reconstruction Acts shall have been executed and the Southern States restored, the Republican party will have ach[i]eved all that is positive in its creed. In the future there will be differences and divisions but they will be rather upon the application of principles than upon their truth. No party can live upon dead issues. No party which has a national policy can in the future desire to divide the black and white vote of the South by a line of colour. No such party can wish to assume before the country the responsibility for the confusion and

⁴ General Daniel E. Sickles, military commander, March 21—August 31, 1867, of the district made up of North and South Carolina.

⁵ Robert K. Scott, afterward "carpet bag" governor of the state, 1868—1872.

disorder (to use mild terms) which must inevitably follow such a distinction, for negro supremacy is one of those inventions which will surely return to plague the inventor.

You know—every man in this country, white and black, knows that this is in no invidious or offensive sense, but as a fact the white mans government. You and they know that the spirit of independence which settled it, the courage which won its liberty and has maintained its existence, the brain which devised its constitution, the enterprise which extended its territory, the capital which freights its ships, ploughs its fields, digs its mines and builds its railroads—the arts and the science, the effort and the achiev[e]ment which make the sum of its civilization, belong to the white man. This civilization you cannot intend, you cannot desire to destroy. But you cannot destroy it in ten States without deteriorating it in all. You cannot be more willing than we are that the freedman shall enjoy all its advantages, that he shall be made part and parcel of it in so far as he can contribute to its perfect development but in your interest and in ours, indeed in his own, he should not be permitted to endanger it, and that at the South this civilization is in danger I do not think the most sanguine can deny.

Remember this fact which you have recognized by your action. For two centuries we have held this people as slaves. Whatever may have been the inherent defects of the system, whatever may have been the shortcomings of those who administered it, we had in that time so improved the character and so developed the intelligence of the negro, that you, having the power, declared he should no longer be kept in this state of dependance but should be made a free citizen of the Country in which his life had become incorporated. We have acquiesced in your decision. But in carrying it out, perhaps I should say, in order to carry it out, you have taken them out of our hands, freed them from our controul and by your policy of disfranchisement and suffrage have destroyed that influence over them which the change in itself would not necessarily have disturbed, certainly not to such an extent. Further, by the system of Reconstruction, the Military Government of the Southern States, the Freedmans Bureau and those other agencies which altho strictly they are mere party instrumentalities, are yet in view of your Congressional power, even stronger than Government officials, you have undertaken to adjust their new relations and to direct their new power. Surely therefore upon you the responsibility of this crisis rests. We have too much at stake not to desire your success and I admit our obligations both as wise men and good citizens to render you all the assistance in our power in adjusting these relations so as to promote the best interests of the whole country. With some knowledge of the opinion and feeling of this State, with no slight acquaintance with its interests and condition, I think I can say honestly that we have endeavoured to do our duty in this respect and it is a cause of thankfulness that so far both white and black have by temperance and justice avoided the collision which seemed imminent. But I cannot be blind to the fact that the dangers and difficulties are increasing, that as the elections approach, the public mind—I refer to both white and black—is becoming excited and apprehensive—that vast power is placed under the controul of ignorance and passion, and that bad men are preparing to use it recklessly for selfish and sinister purposes.

These dangers and difficulties I have endeavoured to describe to you with no exaggeration and I am sure in no spirit of vindictive or even hostile criticism. We can do nothing, you can: for the influence which was once ours is now yours. Some things you cannot do for some things can never be undone. But there are two things in your power to do, both plain and practical, the meaning of which would be clear to the comprehension of the dullest voter in the land.

1. The organization of the black vote of this State upon the avowed and distinct basis of race and colour, which you have solemnly disavowed as a principle of the Republican party, is due and depends entirely upon the secret association of the Union League and its carefully concealed teaching. That League could not live a day without you—its strength is its undisputed claim to represent you. This claim you can disallow. You can teach the freedman that the freedom you have given him is that which walketh at noonday and not in the darkness—that the privileges which you have conferred upon him need no password to admit him to their enjoyment, that the oath of allegiance to the Constitution is not a secret pledge of servile obedience and that the laws you make for the whole country are sufficient protection for all its citizens. You can teach him his duties as well as his rights, that he has been given the one in order that he may discharge the other, and that when you declared that the negro should no longer be a slave you did not mean that hereafter he should be master.

2. But to do this you must do another thing, you must relieve the disfranchisement which you have imposed. I do not mean to deny your right to impose disfranchisement as a punishment to the individual nor do I complain of its harshness. But this is not individual punishment. In this State at least, it is the destruction of society. It excludes, not from honours and offices the few whose ambition and influence you may hold responsible for the late civil war, but it shuts out from the discharge of all those civil duties which are necessary to the very existence of political society, the whole body of the capital, the experience, the intelligence and the character of the State. This may seem to you exaggeration, but if you will consider the unanimity of the white people of this State during the late war, the universal application of the disfranchising penalty which is the consequence, the complete almost absolute power which is given to the coloured population in the coming convention which must controul the Constitution to be framed, and which will scarcely be diminished in the succeeding legislative elections, I think you will admit that unity and organized action of the coloured vote of the State must result in the exclusion of the capital, wealth and intelligence which make the life and strength of society, from all participation in that government which controuls their interests and which really cannot exist without their support.

The freedmen themselves see and feel this. They see the white men upon whom they know they are still dependant for occupation whose capital runs the rail roads and keeps open the shops and pays the wages of their labour—deprived of the right to vote and excluded from the offices which they have always filled and if they cannot exactly comprehend the reason, they feel at least that you mean them to be distrusted. And the class so marked by you is so extensive that the negro is scarcely to blame for too large a generalization when he concludes that you mean to subordinate the white race to him, and that

you mean him to conduct the State Government which you have given him the power to controul.

Do not misunderstand me. I am not denying your power to disfranchise nor have I a word to say about "the magnanimity of a great government" etc. What I mean to say is simply this, that such a disfranchisement as you have applied to us, is the disorganization of the State and places the controul of the State in the hands of the freedmen. If that is your intention, then I have nothing more to say. You have effected it. But I do not believe it is your intention. In imposing this disfranchisement I believe you have looked too intently upon our relations to the Federal Government and have overlooked the fact that a penal policy which you thought liberal in its limited exclusion of certain classes from Federal honours and offices becomes a stringent and destructive policy when applied to State offices. If you wish these Southern States restored, you very naturally wish them to be restored with changed opinions and altered feelings but just as certainly you do not wish to receive them back with their State Governments utterly disorganized and their means of social and industrial prosperity completely destroyed. Now the United States Government may be administered strongly if not wisely with the exclusion of the disfranchised classes, but no State Government can be administered at all especially one where that disfranchisement covers all the influences which contribute to make public opinion, public wealth, public character.

But I have said enough. You have written to me kindly—the best return it seems to me which I can make is to write to you frankly. I need not tell you that I have endeavoured earnestly to reconcile and heal our differences upon the basis of your own settlement. I can say with equal truth that wiser and stronger and better men than I am are striving to do the same thing and that even those who differ as to the means desire the same end.

A truer word was never spoken—let me add, by a truer or better man, than when referring to the condition of the South at the time of Gen Lees surrender, Gen Hampton said,

"I have no hesitation in asserting that the Southern States would then have been brought back into the Union with more of 'loyalty'—to use a favourite expression of the North—than had existed among them for forty years past, had the North proved itself to be as magnanimous as it had shewn itself to be powerful".

I am afraid that you are making the same mistake now which you made then, that as you misunderstood then the spirit in which we accepted the consequences of Gen Lees surrender, so now you misunderstand the spirit in which we have accepted the conditions of the Reconstruction Act. For the party controversy and the passion which marked its passage we are not responsible and it ought not to be applied to us as a party measure to meet party exigencies.

I am aware that discussion—public discussion especially, can do no good—discussion is controversy and controversy is passion. What we—what the whole country wants is authority not argument.

But I have written to you earnestly and at this length because it seems probable that Congress will meet before the Reconstruction Acts are executed and that the condition of the South will naturally and necessarily occupy their attention. Your ability, your position, your professed and I believe sincere desire to restore the integrity of these

United States justify me in hoping that you will give calm, just, and wise consideration to such an effort as I have now made to place the truth of that condition before you

Respectfully

WM HENRY TRESCHOT

To Hon:

Henry Wilson

Let me say that this letter has been written simply to you and has been put in this shape^a only that the reading of so much MSS. might be as little troublesome to you as possible.

^a Twenty foolscap pages written on only one side of the paper, and stitched together at the top.

REVIEWS OF BOOKS

GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

Source Book for Social Origins: Ethnological Materials, Psychological Standpoint, Classified and Annotated Bibliographies for the Interpretation of Savage Society. By WILLIAM I. THOMAS. (Chicago: The University of Chicago Press; London: T. Fisher Unwin. 1909. Pp. xvi, 932.)

THE bulk of the book consists of forty-seven selections from the best ethnological literature dealing with savage and prehistoric man. The selections are grouped under seven heads, *viz.*: "The Relation of Society to Geographic and Economic Environment", "Mental Life and Education", "Invention and Technology", "Sex and Marriage", "Art, Ornament, and Decoration", "Magic, Religion, Myth", and "Social Organization, Morals, The State". To each of these parts is appended a carefully prepared bibliography of the subject. The number of references varies from eighty-three to two hundred and sixty-five. Six supplementary bibliographies are added, one for each of the principal geographic areas of the globe, and, finally, a list of one hundred "best books" classified under the foregoing thirteen heads. All told, the fourteen bibliographies embrace two thousand titles and constitute an admirable survey of the best ethnological materials. To each of the seven groups of selections the author adds a few pages of pithy comment which indicate the trend of the best opinion on the subject.

Professor Thomas insists upon a psychological interpretation of the data regarding savage man and does not believe that societies are thrown into very divergent paths in consequence of their developing in unlike geographic environments. Since the operations of the mind are everywhere the same, early human society everywhere exhibits the same general pattern. Nor does he perceive any broad contrast between the workings of the savage mind and those of the civilized mind. He rejects Spencer's hypothesis that the nature-people are nearer than we are to the subhuman type of mentality. Our efficiency is due not to sheer superiority in mental power, but to the possession of an improved technique and of an accumulated stock of knowledge and ideas. Making proper allowance for the low state of knowledge and the paucity of materials to work with, the interest and ingenuity of the savage are of absolutely the same pattern as those of the modern scientist or inventor. The invention of the bow and arrow impresses the author as quite the greatest intellectual feat the race can boast.

In respect to education he brings out the fact, usually overlooked,

that nearly all savage education is moral and designed to promote the solidarity of the group. It is not, as with advanced peoples, a means of transmitting a precious indispensable fund of exact knowledge and key-ideas.

In the peculiar and elaborate sex code recently brought to light among the Australians the author sees a specialized product of a particular people rather than proof of earlier promiscuity. Practices often cited as survivals of marriage by capture are interpreted as conventionalized expressions of female coyness or as magical devices for averting ill-luck. Nor does he accept the assumption that the further back we go in human culture, the worse the woman is treated by her mate.

Spencer's "ghost theory" of the origin of religion is rejected. Belief in invisible agency, and consequently in spirits, would exist if there were no such things as sleep, dreams, and death. Both magic and religion are expressions of the logical faculty of a mind working unscientifically. Nature-worship springs up in the human mind quite as naturally as ancestor-worship. Whether worship is directed towards ancestors, nature, animals, plants, or the symbols of reproduction, is a matter determined in the history of thought in particular regions.

Averse as he is to dogmatizing, the author leaves as open questions some points popularly supposed to be settled by a particular theory. Frequently he finds merit in opposing theories, since each may explain how a certain practice or institution arose in a particular tribe or under special conditions. The psychology by which he interprets savage man is altogether more living and adequate than that which passes among most ethnologists. One readily sees that Professor Thomas has a kindly feeling for the nature-man and finds him quite as human and normal as the culture-man.

In every respect the book is done as well as the existing state of knowledge will permit, and it will undoubtedly do much to promote the study of this branch of sociology.

EDWARD ALSWORTH ROSS.

What have the Greeks done for Modern Civilisation? The Lowell Lectures of 1908-1909. By JOHN PENTLAND MAHAFFY, C.V.O., D.C.L., of Trinity College, Dublin. (New York and London: G. P. Putnam's Sons. 1909. Pp. xi, 263.)

We may repeat of Professor Mahaffy's books what Aristotle says in effect of the Platonic dialogues: All are interesting and ingenious, but it is hardly to be expected that all should be equally good. The present volume, like its numerous predecessors, is discursive, trenchant, dogmatic, abounding in the *obiter dicta*, the anecdotes, the allusions that mark the man of wide experience, varied studies, and many hobbies; full of sententious saws and modern, especially Irish instances, sup-

ported by cross-references to the author's *Rambles in Greece*, *Social Life in Greece*, and *History of Greek Literature*—and never dull.

It does not quite keep the promise of its title. It is merely a rambling, readable, and suggestive commentary on certain aspects of Greek life and letters, with occasional obligato and perfunctory recurrence to the thesis that all that is best in modern culture is derived from the Greeks, and that all civilizations which attempt to live by the secondary inspiration of Latin alone will inevitably degenerate. But despite the subdivision into chapters entitled Greek Poetry, Greek Prose, Architecture and Sculpture, Painting and Music, Science, Politics, Philosophy, there is no thorough systematic treatment of any topic and little endeavor to trace the actual lines of historic influence.

After some general characterization of Greek poetry, we pass to a few specific illustrations of its influence on the poetry of the moderns. But the instances cited are too trite and obvious to be of much interest except to an audience entirely virgin to the subject. The one new suggestion is that the scene in which Faust's suicidal purpose is checked by the sounds of Easter morn was suggested by a "parallel passage" in the *Argonautica* of Apollonius of Rhodes. But even if we grant that Goethe was familiar with Apollonius, it is not probable that he thought of him in this connection. Professor Mahaffy exaggerates the resemblances of the two scenes when he says "But with the dawn . . . the sounds of men react upon her troubled spirit and cause her to put aside her dread resolve." On the contrary, it is the fear of death and the "thronging soft and delicate desires" of life that stay Medea's hand, and after her decision to live and rescue Jason is taken she waits impatiently for dawn to arrive.

Of the remaining chapters, those that deal with architecture, sculpture, music, poetry, and science, though also unsystematic, are the most interesting and the richest in concrete detail. The chapter on Greek prose proves that Herodotus was a poet, to the confutation of Aristotle, traces the long-periodic sentence of Cicero, Milton, Jeremy Taylor, Burke, Ruskin, and Gladstone back to the teaching of Isocrates, and approves Dionysius of Halicarnassus's censure of the contorted style of Thucydides. The final chapter, on philosophy and theology, is too thin and perfunctory for consideration.

There are some inadvertences that would pass in lectures but should have been corrected in revision for the press. Tennyson would have cut off his right hand sooner than say "Bury the great duke with a nation's lamentation." It is not probable that Byron's

"Keen were his pangs, but keener far to feel

He nursed the pinion which impelled the steel"

is "straight from Aeschylus". It is more likely that it is straight from Waller, or from any one of half a dozen secondary sources. Byron certainly did not possess "a minute knowledge even of fragments of Greek poetry". Of the Greek drama he knew little more

than the *Prometheus* and the *Medea*. It is an exaggeration to say that Herodotus could easily learn to read a modern Athenian newspaper in ten days. A Greek scholar of to-day, familiar with Lucian and Plutarch, can do it because he not only knows the Greek vocables but the French, German, and English newspaper phrases on which the modern Greek is modelled. The oration on the Crown is, as Professor Mahaffy of course knows when he stops to reflect, precisely the one great Greek speech that *does* end with a "sounding peroration". It is not in the *Sophist* but in the *Euthydemus* that Plato travesties the subtleties of two professional educators.

PAUL SHOREY.

Geschichte der Römischen Kaiser. In two volumes. Von ALFRED VON DOMASZEWSKI, Professor an der Universität Heidelberg. (Leipzig: Quelle und Meyer. 1909. Pp. viii, 324; iv, 328, maps.)

THIS is a history of the Roman emperors and in no sense one of the Roman Empire. It is not to be compared therefore with the work of Schiller, or the concluding volumes of Duruy, or the briefer books by Jones or Bury. In a short preface the author expresses his purpose with sufficient clearness. He says he desired to revivify the personalities of the Roman Caesars. "Durch das Nachdenken langer Jahre erwachsen diese Kaiser der Römer in dem Gefängnis des Bücherzimmers zu lebendigen Erscheinungen. Da sassen sie nun auf den Borden, den Stühlen, selbst an meinem Schreibtische, bis mir die gespenstige Umgebung zur Qual wurde. So habe ich denn geschrieben, um mich selbst zu befreien." The result is the present pair of handsome volumes, embellished with a few well-chosen portrait plates.

An examination of the work, however, does not bear out the implied suggestion that here is a well-balanced series of biographies. In fact one is led speedily to conclude that the clearness of the author's "apparitions" are largely in proportion to the literary excellence of his informational material. Where Suetonius, Tacitus, or Cassius Dio sharpen the visions, his narrative is a long one; where the less classical Herodianus or Vopiscus take up the main story, the account becomes very attenuated. How markedly this is the case is soon explained by saying that two hundred and forty pages are given to Augustus and only six to Aurelian. It is perfectly true that Augustus enjoyed a far longer reign than Aurelian, that he introduced much wider constitutional changes, and that we know a good deal more about him; but Aurelian surely need not have been damned to relative insignificance just because he came after the writers of the Silver Age, and such a modern author as Homo has had no trouble in filling a goodly volume with the story of his great reign.

Again the book has been prepared under the scheme of assigning a

separate section to every emperor—mighty or puny—and this has led to such things as giving a special heading to Aemilianus, although he is dismissed with only fourteen lines! (II. 296), while to Gallus is granted only about the same short shrift. On the other hand, Didius Julianus is not permitted inclusion among the emperors at all; he is treated as a mere interloper (II. 243) between Pertinax and Septimius Severus, although he probably had as much following as several of the accepted third-century Caesars.

There is only a very perfunctory attempt made to dwell on the constitutional changes under the several emperors, except with Augustus, in whose case a well-written chapter is devoted to *Die Neuordnung des Reiches* (I. 177–211), giving a good though not brilliant summary of Augustus's political machine. Also in dealing with such a personage as Hadrian we have a few pages (II. 190–192 *et passim*) referring to the administrative innovations in his reign. There is, too, no adequate discussion of the fearful causes of disintegration, which were so banefully at work in the third century. This is remarked not so much in animadversion as in regret that with fairly ample space and more than ample material Professor von Domaszewski did not attack one of the most interesting problems that can confront an historian.

But taking the work for what it claims to be; taking the more pretentious sketches as expert verdicts upon the great leaders of the Empire—the volumes are rewarding indeed. Especially the part on Augustus—the major fraction of the first volume—is an extremely well-written piece of work, beginning the story substantially at the murder of Julius the Dictator and tracing step by step how his young heir with the youthful Agrippa matched wits and skill against the Liberators, Antonius, and many more, overcame all obstacles, and achieved the mastery of the world. It will be unfortunate if this portion at least is not translated into English. It would probably have wider acceptance in the reading public and would rest on a deeper scholarship than the standard biographies of Firth or Shuckburgh.

The treatment of the age of Augustus by Professor von Domaszewski naturally leads to a comparison with the treatment of the same subject by Ferrero. It is not unfair to the Italian to say that the German narrator if not always so vivacious gives a keen impression of sticking closer to the facts—in short of being far more accurate and far less subjective. The account of the battle of Actium (I. 154–157) is an excellent example of clear, vivid narration, bringing to bear the results of modern investigation upon a great event, yet untinged by a desire to say something startling for the sake of attracting attention. It is worth noticing that Professor von Domaszewski does not consider the Antony-Cleopatra romance a matter to be relegated to the rubbish-heap of legend. Thus he says explicitly (I. 103), after describing the coming of Cleopatra up the Cilician Cydnus, and her meeting with the Triumvir, "Bald war sie durch den Liebeszauber, den sie atmete, die Herrin

seiner Sinne geworden, und nach der zwingenden Gewalt ihres Willens lenkte sie die Uebung der Macht in seinen Händen", and more in like strain.

The judgment of the author on most mooted points seems in the main sound and well-considered. Sometimes an opinion appears a little extreme, as when he says (II. 244), speaking of the accession of Septimius Severus, "Es war der schicksalsschwerste Augenblick in der Geschichte Roms." He goes on to argue that Severus was in temperament an Oriental and practically undid the Empire by bringing Oriental despotism and degeneracy into the West. This is surely putting it over strongly. Many things pulled down the Western Empire besides the over-masterful personality of this great African.

The plan of the work precludes foot-notes and references. It is needless to say, however, that the scholarship is of the ripest. To those to whom history is a mere record of dust-covered institutions these volumes will mean little; to those to whom history is—in the words of a great American teacher of medieval history—"the continuous record of human experience", this work will have a high interest, and a value far outweighing any inequalities.

WILLIAM STEARNS DAVIS.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Histoire de Charles V. Par R. DELACHENAL. Tome I., 1338–1358; Tome II., 1358–1364. (Paris: Alphonse Picard et Fils. 1909. Pp. xxv, 475; 494.)

THIS work is a valuable addition to the list of monographs upon the reigns of French kings, such as have been produced in recent years by Cartellieri, Lehugeur, Boutaric, and others. The author, who is already known for several minor contributions in the same field, has now undertaken a greatly extended plan, of which the present two volumes on the years of Charles's minority and regency are but the first installment.

It is indeed time that a new study of the subject be presented, for while Charles V. has ever been a favorite theme of historians, no adequate investigation of his reign in the light of modern scholarship has yet been made. Strange to say, the author does not find the current traditions and opinions concerning "the wise king" and his prominent contemporaries far wrong in their trend, so that his work is not so much a correction and reshaping of existing views, as it is an elaboration and clarification of the material in detail. Even the course of his narrative runs in conventional lines, taking up the characters and episodes of the history for the greater part in their familiar order.

In technique the work bears the stamp of the École des Chartes, with its comprehensive and lucid citation of authorities, among which are

many revisions of original texts as well as some newly edited. For undiscovered documents diligent search has been made not only in the national and departmental archives of France, but also in the richer collections of England, and to a lesser extent in the Vatican Library. It is in the combined use of English and French sources, especially in the field of diplomatic relations, that the author has been most successful in bringing new material to light. For the internal history of France, however, in the way of documentary evidence it cannot be claimed that great advancement has been made. From the lack of Chancery and Exchequer records, the historian is still mainly dependent upon the chronicles, among which those of Froissart remain as prominent as ever. While no statement of this chivalric chronicler can be relied upon without corroboration, his literary art still serves to furnish many a picturesque tale and dramatic scene.

Disclaiming any plan of a complete history, M. Delachenal follows closely the thread of events with which the dauphin was associated. Personalities are foremost, among which that of Charles the Bad is the most clearly drawn. As heir to several counties and castles, as King of Navarre, and as a possible claimant to the crown of France, in all the war and polities of the time, Charles of Evreux maintained against the house of Valois an almost dynastic rivalry. With various claims unsatisfied, he readily drifted into an alliance with the English, the negotiations of which in 1355 he is proved to have carried on at the same time that he was making terms with John II. His treachery and double dealing would have an ethical bearing, were it not matched by others on every side. Without many similar defections among the French barons and provinces, anticipating in a measure the struggles of the Great Feud, the English would have proved an enemy "little redoubtable".

The most controversial theme which the book presents is found in Etienne Marcel. In him Delachenal sees nothing of the "generous soul", "the grandest figure of the fourteenth century", who would have founded "representative government" in France, as have historians of republican sympathies. He is described rather as the scion of a bourgeois family of superior lineage, and the representative of a mercantile group which had profited much under the extravagant court of John the Good, and which became disaffected under the stricter régime of the regent. After the example of Van Arteveldt and the Flemish communes, with the arts at once of a demagogue and a diplomat, he was seeking the domination of his own special class in Paris, and of the commune of Paris over the country at large. His alliance with Charles the Bad, his appeal to the Flemings, his assassination of the king's marshals, his complicity with the Peasants' Revolt, are accounted among the mistakes which led to his downfall. It is unfortunate that most of our knowledge of this man and his cause comes from the hostile and often incorrect accounts of the Grand Chronicles.

The diplomatic relations with the English present a mass of experimental truces and treaties. Among the conventions prior to 1360 is found one of the year 1358, which was evidently the basis of the treaty of Brétigny, and is an explanation of the quickness with which that instrument was finally drawn. The persistence with which Edward III. insisted upon his title to the crown of France is taken to indicate on his part a more serious purpose in this direction than most writers allow. That the ransom of the King of France was placed at the highest possible figure, is shown by the arduous efforts of the government in raising the money and by its delay in making even the first payment.

The deficiencies of the book lie most patently in its over-emphasis of individual action and its lack of historical atmosphere. While institutions in their completeness may well be left to a different kind of history, more must be told of the king's council, the dauphin's council, the estates, and other political forces, properly to understand the field of action. Even the financial questions which were vital are not so fully described as are the raids and marches of free companies. The proof-reading, too, may be criticized in many points, particularly among the quotations in English. A single diagram of the field of Poitiers suggests the comment that a work of this size might well contain many more illustrative pages.

JAMES F. BALDWIN.

The New Cyneas of Éméric Crucé. Edited with an introduction and translated into English from the original French text of 1623 by THOMAS WILLING BALCH. (Philadelphia: Allen, Lane, and Scott. 1909. Pp. xxxi, 364.)

AT Paris in 1623, there was published a little book to show the princes of that day, with a sweet reasonableness, how to bring about universal peace and freedom of trade. The author's name as given on the title-page was Em. Cr. The advanced and humane views advocated were occasionally referred to by later writers, they interpreting Em. Cr. to be Éméric de la Croix. The book became extremely scarce. At the present time only two copies are known, one in the Bibliothèque Nationale, the other in the library of Harvard University. In 1890, Professor Nys discovered the author's real name to be Éméric Crucé through an ancient anagram in his honor.

Of this book, called the *New Cyneas*, the work under review is a reprint (painfully copied from the Harvard example) and a translation. So that for the first time the "pacifist" scholar may study a scheme for the general settlement of international disputes published earlier even than Henry IV.'s *Grand Dessein*, as given in Sully's memoirs and from which Sully may possibly have drawn his idea of arbitration.

Now although this feature of the book is of most interest to us, it occupied but little space in the *New Cyneas*; nevertheless the whole

spirit and plan of the author's work depended upon it. Given universal peace, the counsels of perfection advocating freedom of trade, religious toleration, just and fair treatment of resident aliens, uniformity of coinage, weights and measures, and other such desirable things naturally follow.

The arbitration plan consisted of an assembly of ambassadors to sit at Venice. When any question arose the members representing the contestants should "plead there the grievances of their masters and the other deputies would judge them without prejudice". How should this judgment be explained? Crucé is not quite clear on this point. All the great mechanical plans for peace, it will be recalled, except Kant's, have provided for the enforcement of their decisions by force in last resort. Crucé somewhat lightly says "that if anyone rebelled against the decree of so notable a company, he would be disgraced in the eyes of all other princes who would find means to bring him to reason". But later he makes his princes swear to accept as law what the majority of the assembly decreed "and to pursue with arms those who would wish to oppose it". This vital point is apparently of less importance in Crucé's eyes than the labelling of the princes in the matter of precedence—Pope first and Grand Turk second—and the suggestion of dodges to settle or evade this delicate question amongst the members.

In the rest of the book Crucé preaches the whole duty of princes, with childlike simplicity, with detail and illustration a trifle wearisome, with a good sense and even an economic soundness which are admirable. Thus he declares duelling inevitable so long as offenses against the person or the honor of an individual are lightly punished; explains the working of Gresham's law and advocates a uniform 12-1 ratio of silver to gold; even seems to anticipate a universal system of weights and measures like the metric. Early marriages, the excesses of republics, the evils of luxury, simplicity among the clergy, the praise of learning, the value of craftsmanship, and many another topic is touched upon. It might almost be a presidential message of 1905.

The book is delightful in type and paper, but the typographical errors are a little disconcerting, *e. g.*, "The Republic of Pluto", "pacific council" meaning advice, "Aegian Sea". The translation by striving after quaintness, and through too great literalness, is sometimes unintelligible, and there are positive errors also. In this respect the second half of the book improves upon the first.

For the conception and the execution of this work, the hearty thanks of scholars are due to Mr. Balch.

T. S. WOOLSEY.

The Cambridge Modern History. Planned by the late Lord ACTON, LL.D., Regius Professor of Modern History. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., and STANLEY LEATHES, M.A. Volume VI. *The Eighteenth Century.* (New York: The Macmillan Company. 1909. Pp. xxxvi, 1019.)

WHEN a twelve-volume work has reached its eleventh volume it is possible to deduce a formula for reviewing it, especially when successive volumes remain so true to type as do those of the *Cambridge Modern History*.

One may begin by pointing out that the subdivision among a larger number of collaborators than is necessary results in such a parcelling up of interrelated facts that much material appears without relation to other facts which make it historically significant and that no point of view can be maintained for any length of time. Lord Acton's hope that the readers should not know where one contributor laid down the pen and another took it up seems to have been interpreted that contributors were not to know what their collaborators covered or omitted. So one may go through the list of charges so frequently brought against this "monumental" undertaking. There are the usual minor mistakes, errors in pagination, and bibliographies that contain such illuminating and helpful suggestions as that of the *Königliches Geheimes Staatsarchiv* in Berlin and similar collections in Paris. These bibliographies are, as in previous volumes, undiscriminating check-lists of books which taken as a whole contain innumerable repetitions of titles, and considered by chapters exhibit the most unexpected omissions and inclusions. Certain bibliographies by their fullness, e. g., those contributed by Mr. Chance, and those accompanying Professor Daniels's chapters on Prussia by their apparent limitation to works used, have each their special merits.

Let it be granted that it is the privilege of largely conceived works to have such shortcomings and it follows that it is not wholly just to be censorious because the *Cambridge Modern History* has made full use of its privileges.

This volume is entitled *The Eighteenth Century* and by this is meant the years 1715-1789. In the introduction which is perhaps the distinctly synthetic part of the volume, the editors point out that volume VII. treated all American history and volume VIII. on the French Revolution reached back to gather in those elements which explain the Revolutionary movements. It may be added that volume V. on the age of Louis XIV. reached forward to include Russia to the death of Peter the Great and Sweden to the death of Charles XII., besides treating certain scientific and religious movements which have significance not as products of the seventeenth century but as genetic influences in the eighteenth.

The chief interest of the volume is in international relations. The

chief emphasis is on Great Britain and France. To this phase Dr. Ward and Mr. Chance contribute the account of the Hanoverian succession and the foreign policy of George I. to 1721; Mr. Temperley, the Age of Walpole and the Pelhams; Mr. Terry, Jacobitism and the Union; Mr. Armstrong, two chapters on France and Spain under the Bourbons to 1746. Professor Lemoine's chapter on the Reversal of Alliances and the concluding years of Louis XV. follows two chapters after those on the War of the Austrian Succession and the Seven Years' War on which Mr. Atkinson and Professor Emil Daniels collaborate. The concluding chapter of this group on England from 1756 to 1793 is assigned to Professor Michael (Chatham), Mr. Riggs (the King's Friends), and Mr. Griffin (peace and the rise of the younger Pitt). A group supplementing those on French-English matters would include besides those on the Silesian wars already mentioned in the first of which Professor Daniels gives a connected account of Frederick William I., a weak chapter on financial experiments and colonial development and much more satisfactory ones on Ireland and on India to the trial of Hastings. Outside these groups are the chapters by Mr. Bain on Poland, Sweden, and Russia under Anne and Elizabeth, Mr. Reddaway's account of Denmark, 1730-1794, Italy and the Papacy by Mrs. Vernon, Switzerland by Professor Schollenberger (satisfactory), and the Rev. George Edmundson's rather arid chapter on Portugal and Spain, 1750-1794, to which he adds three pages on Brazil in the seventeenth and eighteenth century. Three great rulers of the century are given separate treatment: Joseph II. by Professor Hubert, Catherine II. by Dr. Hötzsch, and Frederick II. after 1763 (and his successor) by Emil Daniels, with a five-page supplement on Prussia and Poland, 1763-1797, by Dr. Hötzsch. These three chapters are, on the whole, better than the average of the volume and in view of the scarcity of trustworthy material in English on continental European history in this century they are welcome as substantial summaries.

Mr. A. L. Smith's chapter on English Political Philosophy in the Seventeenth and Eighteenth Centuries is illuminating but Professor Vaughan's chapter on the Romantic Movement, considered as an independent contribution, is decidedly unsatisfactory. It shows no sense for the genesis of Romanticism and but little for contemporary and contributory movements. The bibliography falls far below the standard of the series. Its inclusion of school texts and omission of the sound work of American scholars, e. g., Phelps, Farley, Beers, and Reynolds, and of editions of authors mentioned in the chapter, are noticeable defects. The substitution of a chapter on the efforts at legal reform and codification would have been a much more satisfactory and enlightening contribution to the history of the eighteenth century.

If any chapters be selected for commendation it is not because they agree with any opinions of the reviewer but because they have opinions with which one may agree or disagree, because, to quote Lord Acton's

directions to contributors, they "supply help to the student not material to historians" and are, in approximation at least, "not a burden to the memory but an illumination to the soul".

It seems to me that Mr. Temperley has written an admirable account of the age of Walpole and the Pelhams. Walpole seems almost like a personality. Sufficient space is taken to develop his main measures and to relate them to the prevailing mercantilism. Though the account is favorable to him, his shortcomings and the ineffectiveness of his system to meet changing colonial conditions are freely exposed. The dictum that politically the colonies had little to complain of before "the crucial year 1750" may not be accepted by those who attach some importance to the prevailing unsatisfactory conditions between appointed royal governors and elected provincial assemblies. The chapter on England (1756-1793) by Michael, Rigg, and Griffin, may be designated as one which meets the purpose for which it was written. Professor Michael's view of the elder Pitt is without the shadows cast on his motives between 1763 and 1765 by the biography of Ruville. That the three writers should occasionally lose their way in the maze of party factions and misplace the affiliations of a statesman (*e.g.*, Newcastle should be substituted for Bute, p. 419) is less a reason for criticism than the rigid adherence to a somewhat antiquated interpretation of British colonial taxation after 1763 (p. 432) and the failure in this and Mr. Temperley's chapter to throw any definite light on the institutional history of the cabinet in the eighteenth century.

That these twenty-four monographic chapters give no adequate survey of Europe on the eve of the Revolution, no unified view of an age that had greatly conceived, greatly sinned, and greatly failed, is not a harsh judgment. Indeed, the editors, if I read their introduction aright, feel that they are presenting here not the eighteenth century but only volume VI. of the *Cambridge Modern History*.

GUY STANTON FORD.

Bernstorfferne og Danmark: Bidrag til den Danske Stats Politiske og Kulturelle Udviklingshistorie 1750-1835. Af AAGE FRIIS. Volume I. *Slægtens Traditioner og Forudsætninger.* (Copenhagen: Det Nordiske Forlag. 1903. Pp. 447.)

Bernstorffske Papirer: Udvalgte Breve og Optegnelser vedrørende Familien Bernstorff i Tiden fra 1732 til 1835. Udgivne af AAGE FRIIS. Volumes I. and II. (Copenhagen: Gyldendalske Boghandel. 1904, 1907. Pp. xvi, 818, 95; xii, 708, 86.)

THE Bernstorff Papers certainly are among the most important Scandinavian publications of recent years; their importance is not confined to the history of Denmark but extends to the whole field of European history in the eighteenth century.

The Bernstorff family gives a typical instance of the extreme

internationalism reigning in the period next before the Revolution. In those days it was an almost daily occurrence that men of the upper classes passed from the service of one country to that of another, regardless of ties of kindred and nationality; at least in continental Europe patriotism in the modern sense of the word did not yet exist, or existed only in very rudimentary form. Many a gentleman then might well have taken the same device as one of the Bernstorffs chose for himself: *Patria ubique*. Very few, if any, of the wandering politicians of the eighteenth century reached such a lasting influence and position as the Bernstorffs, suddenly rising from the fameless life of Mecklenburg gentry.

The first man of that family to obtain an important position was Andreas Gottlieb Bernstorff (1649-1726), the most remarkable statesman of the Brunswick-Lüneburg countries in modern times. He was the prime minister of the Elector of Hanover from 1709 until his death, and when the Elector, 1714, went to England as King George I., Bernstorff accompanied him as his leading councillor; he was, indeed, prominent in English politics, the head of the "Hanoverian Junta", until the awakening national jealousy of the English nobility drove him away, 1720. He it was who, by the Family Statute of 1720, laid the economic as well as the moral foundation of the great work of his descendants. His grandson, Johann Hartwig Ernst Bernstorff (1712-1772), found Hanover too narrow a field for his ambition and went, 1732, into the Danish diplomatic service; the united kingdoms of Denmark and Norway ranged in those days still among the powers of Europe, and as Danish secretary of state for twenty eventful years (1751-1770) this first Scandinavian Bernstorff played a prominent part in European politics. In 1758, he drew his nephew, Andreas Petrus Bernstorff (1735-1797), into the same service, and this younger member of the family, perhaps its most splendid representative, became also Danish secretary of state for a period that revolutionized not only Denmark, but all the world (1773-1780, 1784-1797). These two Danish ministers indicate the zenith of the Bernstorffs in importance as well as in ability; but their star, although declining, has still kept itself visible on the political firmament throughout the whole nineteenth century. One of the sons of A. P. Bernstorff, Christian Günther Bernstorff, succeeded his father as secretary of state for Denmark (1797-1810) and, in conformity to the traditions of the family, changing his country, accepted the offers of the King of Prussia, whose secretary of state he was for the years 1818-1832. A nephew of his was the prominent Prussian minister Albrecht Bernstorff (1809-1873) whose life, by Dr. Ringhoffer, appeared recently in English (*AMERICAN HISTORICAL REVIEW*, XIV. 584-586), and whose son last year came as German ambassador to the United States.

Dr. Aage Friis, of Copenhagen, won his doctor's degree in 1899 by a highly interesting book about the activity of A. P. Bernstorff

during the years 1772-1780, founded upon much new material; later, he has extended his researches and has brought forth from private and public archives a vast mass of hitherto unknown documents, concerning especially the two great Danish Bernstorffs. In 1903, he published the first volume of a large work (in Danish and German) about the Bernstorffs and Denmark, the second volume of which has been announced for 1910, and in 1904 he began publishing the series of Bernstorff Papers, planned in seven large volumes, of which the first two have already appeared, while the third is announced for 1910. This series also exists in both Danish and German editions.

The account of the work of the Bernstorffs in Denmark will in a great measure cover the political, social, and intellectual development of the Danish people in the whole period 1750-1835; the Bernstorff family furnishes a most pregnant instance of the peculiar interweaving of German and Danish society in those days and represents, in Denmark, that spirit of social reform that animated all Europe of the eighteenth century. Dr. Friis's first volume gives only the introduction, the rise of the family, and its diplomatic beginnings until J. H. E. Bernstorff becomes Danish secretary of state, 1751, and A. P. Bernstorff goes into Danish service, 1758; it concerns itself chiefly with the elder Bernstorff and his diplomatic activity in Germany and France (1733-1750). The author evinces great ability in depicting the social background; his style is a little broad, but brisk and richly colored, and we are justified in looking forward to a most interesting work.

The Bernstorff Papers do not include, except to a very limited degree, properly diplomatic or official documents; they give mostly letters of a more or less private character. Most of these are written in French, some parts in German, very little in Danish. Mr. P. Vedel published in 1882, in two volumes, the *Correspondance Ministérielle du Comte J. H. E. Bernstorff, 1751-1770*, and in 1871, the confidential correspondence between J. H. E. Bernstorff and Choiseul, 1758-1766. But this is not to say that Dr. Friis's publication is of less importance. The first volume contains correspondence between J. H. E. Bernstorff, his brother in Germany, and the latter's son, A. P. Bernstorff, covering the period 1740-1772 by more than nine hundred letters. The second volume gives the correspondence of J. H. E. Bernstorff with fifty-nine different persons, mostly high Danish officials from the king downward, but also such foreigners as Choiseul, Madame de Pompadour, Voltaire, Klopstock, and others, altogether more than six hundred letters from the years 1732-1772. The next three volumes are intended to bring forth the correspondence of A. P. Bernstorff, the two last volumes a selection of the papers of Christian Günther Bernstorff and his brother, Joachim Frederik Bernstorff.

The letters of J. H. E. Bernstorff and A. P. Bernstorff throw an interesting light on the personal and political development of those two great statesmen; especially the instructions which the older minister gives his nephew for his travelling abroad illustrate clearly their

moving principles. They were indeed both among the first practical politicians to grasp the modern ideals of international relations; repeatedly the elder Bernstorff urges upon his disciple a morality in politics quite contrary to the then prevailing ideas and imbues him with dreams of peace which, in after years, the younger Bernstorff endeavored to realize in his work for the rights of neutrals—therefore, in the year 1780, he felt himself in a condition to write to Benjamin Franklin as to a fellow-worker for international justice (see the *Writings of Franklin*, ed. Smyth, VII. 324).

The Bernstorff correspondence presents to the student a remarkable international gallery. It gives many interesting glimpses into social and political life in Italy, France, and England, as well as into country life in Germany. I think American historians will be most strongly interested in the new material given about Choiseul. He is very often mentioned in both volumes, and in the second volume are printed forty-seven letters from him to J. H. E. Bernstorff, most of them from the years 1750–1756. During his stay in Paris, 1744–1750, Bernstorff formed an intimate friendship with Choiseul, then young and unoccupied, and more than once, in his letters, the future French leader addresses the older friend as *mon maître*. Bernstorff distinguished the powers of the young loafer, "homme vif, satyrique et agissant, mais plein de sens et d'esprit, fait pour jouer un grand rôle dans le monde, ou pour périr à la peine" (letter of 1755, I. 141). The friendship of the two statesmen was of no small political consequence, and kept them firmly together until a rupture finally occurred in the year 1770. Of paramount interest is the detailed report of the Danish representative, Martin Hübner, about his negotiations with Choiseul at the end of 1759 respecting the war with England (II. 277–297); Choiseul planned to send Hübner to London as his secret peace agent, and on that occasion we learn what conditions he then thought of for ending the war. Hübner is himself a remarkable man, advanced, and an able scholar in international law. In a letter from London, 1754 (II. 271–273), he gives a pointed account of the intellectual and political conditions of England, and here he expresses the same idea that in the following year, Governor Shirley and the young John Adams commented upon, that England would be able to preserve her American colonies as long as she could maintain her mastery of the seas. The correspondence does not give many other references to America; I notice that Choiseul, 1750, speaks about the "prétensions des Anglois en Amérique" (II. 627), and some information may be found concerning the Danish West Indies (see the indexes under the names Pröck and Roepstorff). The two big volumes are still somewhat inaccessible, because the indexes, conforming to German practice, only comprehend personal names; I hope that the editor, in the last volume, if not at an earlier juncture, will add a subject-index in the good English-American way.

HALVDAN KOHT.

Sheridan. From New and Original Material; including a Manuscript Diary by Georgiana, Duchess of Devonshire. By WALTER SICHEL. In two volumes. (Boston and New York: Houghton Mifflin Company. 1909. Pp. xviii, 631; ix, 549.)

MR. WALTER SICHEL has put infinite diligence and care into the preparation of these two bulky volumes on Sheridan. He has collected a vast amount of material, much of it new to students of English history in the days of George III. He has discovered and given to the public as an appendix to his book, a diary of Georgiana, duchess of Devonshire, written during the critical period of the Regency debates in 1788-1789. He has also printed a large number of hitherto unpublished letters of Sheridan, his wife, and many of their friends and relatives. He has devoted nearly two hundred pages to a psychological analysis of Sheridan's own character and the character of the age in which he lived. He has traced the ancestry of the Sheridans and the collateral branches of the Sheridan family. He has given a long and detailed history of the first Mrs. Sheridan and of the whole remarkable Linley family. The rest of Mr. Sichel's 1177 pages are devoted to the story of Sheridan's life and achievements, his political and social triumphs and disasters, his friends and admirers, his successes and his failures. And yet the result, so far as concerns a real understanding of Sheridan himself, is disappointing. There is a great deal about Sheridan, but, amid it all, the man Sheridan disappears. Mr. Sichel indulges in much characterization. He uses many superlatives; but at no time does he place Sheridan in a simple and straightforward setting before his readers and allow them to make his acquaintance for themselves.

Some exception might also be taken to the balance of Mr. Sichel's book—that is, from the point of view of the student of English history and politics. For instance, over a hundred pages are devoted to the romantic story of Elizabeth Linley's elopement with Sheridan, to the duels which followed, and the subsequent marriage of the youthful pair. It is not until the end of the first volume is reached that there is any mention of Sheridan's political career. There can, of course, be no complaint of Mr. Sichel for giving an adequate treatment of Sheridan as an actor, a dramatist, and a theatrical manager. These were essential parts of his career and his dramatic work will always be considered by many his great achievement and his most important claim to immortality. But in Sheridan's own opinion, political success was a higher step on the ladder than success on the stage; and the disappointments of Mr. Sichel's second volume are great in proportion to the importance that the reader attaches to Sheridan's part in English politics.

As much as Sheridan valued the friendship of the Prince of Wales, it can hardly be imagined that he himself would have been satisfied with a biography which devotes several chapters to this subject, which even belittles Sheridan's friendship with Fox for the sake of enhancing the

friendly relations between Sheridan and the prince, and at the same time dismisses in a line some of Sheridan's most important work in the service of the nation. In spite of his pathetic affection for the corrupt roué who during the later years of Sheridan's life was at the head of the state, Sheridan was a true democrat. He was full of enthusiasm for humanity, and his alliance with Fox was not a merely superficial arrangement, due to both being thrown into opposition to the government of Lord North and his Tory successors. It was due to a real agreement between Fox and Sheridan on political principles. Both stood for popular rights and liberties. Both opposed the American war and defended the French Revolution. Both desired reform at home, religious liberty, justice to Ireland, emancipation of the slaves throughout the British Empire, and more sympathetic justice for the masses in England. But with Mr. Sichel, these deeper principles are passed over in the mass of trivialities and intrigues. Differences between Sheridan and his political friends are accentuated, and Sheridan's service to the nation is subordinated to his services to this or that politician or ministry.

One of the causes with which Sheridan identified himself was the reform of the Scottish burghs. On this subject he accumulated a vast amount of material, and between 1787 and 1794 he made twelve speeches in Parliament upon it. Yet in the record of his political life, Mr. Sichel devotes exactly one line to Sheridan's efforts to obtain this reform, although in the early chapters of his book in analyzing Sheridan's political activities he had given the whole of five lines to the same subject. Sheridan's sympathies with the people, his warm indignation in cases of wrong and oppression, apparently call out no answering spark from Mr. Sichel. The whole incident of Sheridan's heroic intervention on behalf of the prisoners in Coldbath Fields, and his speeches on the subject, are dismissed in two lines of a foot-note. If the student of English political development desired to give Sheridan due credit for the help he rendered to the people in the long battle for liberty against the combination laws, for justice for the agricultural laborer, and for the freedom of the press, he would not find in all the eleven hundred pages of Mr. Sichel's biography three lines to help him in his search.

A. G. P.

The Life of W. J. Fox, Public Teacher and Social Reformer, 1786-1864. By the late RICHARD GARNETT, C.B., LL.D., concluded by EDWARD GARNETT. (London and New York: John Lane and Company. 1909. Pp. xiii, 339.)

It is for his share in the agitation for the repeal of the Corn Laws that William Johnson Fox is now chiefly remembered. In the six years that preceded repeal in 1846, Fox was as busy with his pen and as frequent in his appearances on public platforms as Cobden or Bright.

William James Linton, the engraver, himself an ardent Chartist, describes Fox as "the virtual founder of that new school of English Radicalism which looked beyond the established tradition of the French Revolution, and, more poetical, escaped the narrowness of Utilitarianism: a man wiser than his compeers, who, but for lack of boldness, had been the royal leader of the English democracy". Fox began life as a bank clerk, but having from early life been especially susceptible to religious impressions, he early left banking to become a Congregational minister. During his first pastorate, however, at Fareham, in Hampshire, he went through a period of storm and stress and emerged as a Unitarian. This change compelled him to leave Fareham and after a short stay at Chichester he took up in 1812 the pastorate of Parliament Court Chapel in Bishopsgate, London. In the first half of the nineteenth century, Unitarian ministers exercised an enormous influence on English thought—an influence altogether out of proportion to the numerical strength or social importance of the sect. Almost every newspaper or periodical of Liberal opinions was either edited by a Unitarian minister, or reckoned one or more such ministers among its regular contributors. The two spheres were not incompatible. The religious teacher wrought in the same spirit as the political and social reformer, and the spirit of inquiry that led a man to embrace the heresy of Unitarianism was likely to lead him to become a Radical in politics.

A Radical of the Radicals Fox certainly was. During his fifteen years in the House of Commons, as member for Oldham, he was the constant supporter of every movement for religious liberty, for popular education, for a wider franchise, and for women's rights. Before he entered Parliament, as an orator and in the columns of the *Morning Chronicle* and the *Daily News*, and earlier still in his conduct of the *Monthly Repository*, he had advocated the cause of the people against the feudal and aristocratic government that then held England in its grip. And yet, notwithstanding all his services by his pen, and by his eloquence on platform and in Parliament, William J. Fox was in danger of being forgotten. Dr. Garnett's book will do for Fox what Mr. Graham Wallas did nearly twenty years ago for Francis Place—it will secure for him a permanent place among the little group of Radicals, Chartists, and Reformers who, in spite of mistakes and extravagances, made of England a democracy.

Besides the service that Dr. Garnett's book has done for historical students in giving Fox his rightful place in English political development, the book is valuable for its glimpses of James and Harriet Martineau, of Condem, Dickens, and Forster, of Macready and the Brownings, and of other men and women who were prominent in the world of politics and of literature in the middle years of the nineteenth century. It is only to be regretted that Dr. Garnett did not live to finish the work he had so well begun. The final chapters and the

revision of the book for the press show traces of haste and carelessness. Misspellings and grammatical errors are not infrequent, and the construction of the sentences is sometimes awkward and involved. In spite of these minor defects—defects which a careful reading of the proofs might easily have eliminated—the *Life of W. J. Fox* is a substantial contribution to the political and economic history of England in the years between the battle of Waterloo and the death of Lord Palmerston.

The Great French Revolution, 1789-1793. By P. A. KROPOTKIN.
Translated from the French by N. F. DRYHURST. (London:
William Heinemann; New York: G. P. Putnam's Sons. 1909.
Pp. xi, 610.)

JAURÈS has given us a series of volumes on the Revolution from the socialist point of view and now comes Kropotkin, the Russian prince and revolutionist, with a volume presenting the communist conception of the great upheaval. It is with the rôle of the masses and with the great economic changes that he is chiefly concerned, matters that have not received in the past the consideration that is due them. As a result, the histories of the Revolution have been chiefly political histories from which one can learn but little concerning the abolition of feudal rights of the confiscation and sale of land, and of the action of the masses of the people during the period 1789-1794. And yet, to Kropotkin, these things appear the fundamental facts of the Revolution. "The insurrection of the peasants for the abolition of the feudal rights and the recovery of the communal lands which had been taken away from the village communes, since the seventeenth century, by the lords, lay and ecclesiastical, is the very essence, the very foundation of the great Revolution. Upon it the struggle of the middle classes for their political rights developed. Without it the Revolution would never have been so thorough as it was in France. The great rising of the rural districts which began after the January of 1789, even in 1788, and lasted five years, was what enabled the Revolution to accomplish the immense work of demolition which we owe to it. It was this that impelled the Revolution to set up the first landmarks of a system of equality, to develop in France the republican spirit, which since then nothing has been able to suppress, to proclaim the great principles of agrarian communism, which we shall see emerging in 1793. This rising, in fact, is what gives the true character to the French Revolution, and distinguishes it radically from the Revolution of 1648-1657 in England." This is the thesis of the book. How successful is the development of it?

If the old books emphasize the political side of the Revolution and the work of the upper classes, this book, in the attempt to restore the balance, devotes undue space to the economic side and to the work of the masses. It is probable that the method was consciously followed and,

under the circumstances, was justifiable. The volume should be looked upon as a work dealing especially with the action of the masses and with the economic side of the Revolution, well fitted to supplement the older histories which treat too exclusively of the political side of the movement. There is no volume of the same size in English, nor in any other language, so far as I am aware, that gives as satisfactory an account of this very important and much neglected side of the Revolution. Members of the guild of historians will find it semi-scientific and will note many weak spots in the narrative. How could it be otherwise? The real reason that we have had no satisfactory account of the Revolution from the economic point of view has been that it was impossible to produce a satisfactory account in the present state of our knowledge. The popular uprisings, the destruction of feudal rights, the land question, and the communist movement, these are the subjects with which Kropotkin concerns himself, and yet so little monographic work has been done upon them that the historian is forced to form his synthesis from facts established by a study of the sources, a task that is impossible for any one man. Kropotkin is acquainted with most of the good monographs that have been written on his subject—he refers to them in foot-notes—and has used a goodly number of printed sources, but he has not frequented the archives and he was not able to make use of the monographs and sources, considerable in number, which have been published in the last three years. The specialist will find here little that is new, will shake his head over many daring constructions, and will find places indicating that Kropotkin is not as well informed as he should be, but everything considered, it must be acknowledged that with all its faults the book is full of hypotheses which are worth testing and which will open the eyes of students of history who are not acquainted with the monographic work that has been done on the economic side of the Revolution. The volume was well worth translating into English and should be read by every teacher as a help to a better understanding of the great French movement of a hundred years ago.

FRED MORROW FLING.

The Love Affairs of Napoleon. Translated from the French of JOSEPH TURQUAN by J. LEWIS MAY, with numerous portraits. (London and New York: John Lane Company. 1909. Pp. xii, 378.)

Napoléon Adultère: Suivi du Dialogue sur l'Amour par Napoléon Bonaparte. Par HECTOR FLEISCHMANN. (Paris: Albert Mériant. 1909. Pp. viii, 288.)

THE first epoch of interest in Napoleonic studies, which practically began with the translation of the remains of the emperor from St. Helena to the Hotel des Invalides in 1840 and ended with the fall of

the Second Empire thirty years later, was characterized by an adoration of his remarkable achievements especially in war. The second epoch, which began with the centenary of the Revolution in 1889 after a score of years of almost complete neglect, is curiously marked by an intense interest in the personality of Napoleon and even of his worthless relatives. The first striking evidence of this new form of interest was the publication in 1893 of *Napoléon et les Femmes*, the first volume in M. Frédéric Masson's monumental series of Napoleonic studies, which has won for him a chair in the French Academy. M. Masson had been librarian in the Foreign Office and had already made his reputation as an historical student when he began his series of masterpieces in historical literature. The historical student became merged in the literary artist, and he chose to write *ex cathedra* and to omit the absolutely essential citations of authorities. Later investigators are thus left unnecessarily in the exasperating position of having to use M. Masson's books without being able to verify properly the accuracy and impartiality of statement except by the almost impossible repetition of M. Masson's researches. While M. Masson has an established reputation as a master in historical research and authorship, his imitators have scarcely proven worthy apprentices in either art. To the historical student their works afford an insignificant amount of new information and to the general reader they have naught to recommend them except their unsavory character. Useless in the original, their translation cannot be condemned in sufficiently strong terms. Students, authors, and translators who care to serve humanity rather than pandor to it will find abundant legitimate occupation in studying Napoleon as a statesman instead of as a lover. The illicit demand which required twenty-one editions of M. Masson's first volume within four years also called forth the quasi-biographical volumes of the Corsican Turquan, whose *Napoléon Amoureux d'après les Témoignages des Contemporains*, published in 1897, has now been translated by Mr. May. M. Turquan does cite authorities but they are usually the gossip and trash of Constant, the Duchesse d'Abrantès, Mme. Récamier, Mme. Rémusat, and others. The latest indiscretions are from the pen of a youthful Belgian dramatic writer and theatrical manager, M. Hector Fleischmann, who, oddly enough, shows a genuine appreciation of historical scholarship and criticism. His citations of authorities are copious and are often of a higher character than those of M. Turquan. His discrimination is shown in turning down, with a decisive foot-note or a passing reference, trivialities which M. Turquan details at length. M. Fleischmann's work is of much higher grade than his disgusting title would indicate. After all, the most useful book for the student remains M. Charles Nauroy's *Les Secrets des Bonapartes* published in 1889.

Over Bonaparte the general and Napoleon the emperor no mistress ever held sway for a single moment. No act of public significance either in war or in peaceful statecraft testifies to the existence of a

mistress of Napoleon. The Valois and the Bourbon kings with their ancient lineage and their assured position lost no prestige because of the well-known influence of their avowed mistresses; but Napoleon Bonaparte, the Revolutionary usurper and the parvenu emperor, thoroughly understood that such derelictions as were condoned in Louis XIV. would overwhelm him with ridicule. Moreover, both of his marriages were unfortunate. In spite of his loyal and ardent devotion, Josephine's irregularities were the gossip of Milan and Paris before 1796 had closed. The divorce, impossible for the youthful aspirant to power, scarcely escaped being ridiculous in the triumphant emperor of 1809. His second wife, the mother of his one legitimate child, the King of Rome, too obviously recalled her great-aunt, the hated "Autrichienne", and her scandalous desertion in 1814 has justly made her infamous. Josephine proved an unsatisfactory link with the ancient nobility of France and Marie Louise was a useless link with the ancient dynasties of Europe. These two women whose relations with Napoleon were of vast personal import had little influence upon the soldier and ruler which the serious historian must take into account. A single paragraph will almost suffice for such recital of Napoleon's relations with other women as the careful biographer or historian will wish.

Soon after he reached his twentieth year, Bonaparte began to consider the various women he met with an eye to the selection of a wife. Several roused his momentary fancy but he paid more serious court to Mlle. Colombier, Mlle. de Lauberie de Saint-Germain, and Mlle. Désirée Clary. The lover, rejecting or rejected, later honored the successful suitors of these women, making the first, M. Garempel de Bressieux, a baron of the Empire, the second, M. Montalivet, a count of the Empire and Minister of the Interior, and the third, Bernadotte, marshal of the Empire and Prince of Ponte Corvo. Bonaparte's infidelities as a husband were the direct result of the incorrigible derelictions of his first wife, Josephine, and every one of his *liaisons* which is reasonably authenticated belongs to the period between the campaign of 1798 in Egypt and the divorce in 1809. Mme. Fourès during the Egyptian campaign, Mlle. George of the Comédie Française and Mme. Duchâtel during the Consulate, Mme. Grassini, Mme. Gazzani, Mlle. Denuelle de la Plaigne, and Mme. Walewska during the Empire, each held sway for a brief period in his affections. Each of the last two bore him a son, the only illegitimate offspring of recognized Napoleonic parentage; and their birth certainly had some weight in determining Napoleon to divorce Josephine. Count Léon (1806-1881) dragged out a ridiculous and inconsequential existence, but the second, Count Walewski (1810-1868), held numerous appointments under the Orleans Monarchy and the Second Empire, being Minister of Foreign Affairs from 1855 to 1860. True enough two of these mistresses were Italians, and one a Pole, true likewise, there were aspirations toward independent national existence in Italy and in Poland, but absolutely no proof has been adduced

that Napoleon's relations with these women had any political significance whatsoever. Besides these seven women who might be regarded as mistresses, a considerable number of women afforded the emperor momentary distraction either in careless frivolities or in brutal lust. It serves no purpose to know their names or number. It is difficult to conceive why M. Turquan includes between the covers which hold the accounts of these immoralities many pages of idle gossip about the Duchesse d'Abrantès, Mme. Récamier, Mme. Rémusat, and even Napoleon's adopted daughter, Stéphanie de Beauharnais, to none of whom does he dare to impute any relation with Napoleon worse than indiscreet. M. Fleischmann has called attention to the existence of a group of women who tried to throw themselves at the unwilling Bonaparte by his chapter on the most redoubtable of them, Mme. de Staël, while several of M. Turquan's cases properly belong in this group. M. Fleischmann also devotes a chapter to the refutation of the antiquated libel of incestuous relations with Pauline. The known correspondence between Napoleon and Pauline, as well as his incessant efforts to enforce upon the members of his family some respect for the decencies of life if not for the moral law, all go to disprove this slander.

These books being ruled out on the score of possible historical or biographical importance, it remains to inquire whether they have any justification as psychological studies. The answer is most emphatically, almost confessedly, in the negative. In the usurped position of First Consul, Bonaparte made it his programme to restore order not only in Church and State but also in society, which woefully needed it after the scandalous days of the Directory. He enforced by the rigid provisions of his Code and by constant exercise of his regulating influence an almost puritanic sanctity of the family. In conjugal love, he stated unequivocally his belief, and it was the ideal he sought in vain in each of his marriages, for he was false only to a wife who had repeatedly proven her infidelity. Love as a physical passion, as immorality, he always denounced as an evil, though no one of his own lapses rose above this level. Except in the case of Mme. Fourès, his irregularities of private life were rigorously screened from the public gaze, and never for a moment did Napoleon neglect the duties of his position or fail again to maintain its respectability. It was the very fact of his extreme care in these two matters that compelled the disappointed husband to reduce his love affairs to the sole object of gratifying his passions, though it is his mistresses, like Mlle. George, who defend him from the charge of brutality. Dire poverty afforded Bonaparte but the slightest opportunities of society, of meeting women, and of learning the ways of the world until his twenty-seventh year, so it is little wonder that M. Masson and M. Fleischmann find him "timide"—bashful, and that his foes called him brutal. Furthermore, it must be remembered in judging Napoleon's manners that he was a skillful actor, as Mr. Richard Mansfield has pointed out, and knew how to use both rudeness and courtesy

to suit his inscrutable purposes. Only a fellow Corsican, M. Turquan, could have been mean enough to depict Bonaparte as a woman's fool. Bonaparte made mistakes, even his marriages were such, but the master of men was ever supremely master of himself.

GEORGE M. DUTCHER.

Le Partage des Biens Communaux: Documents sur la Préparation de la Loi du 10 Juin 1793. Publiés par GEORGES BOURGIN, Archiviste aux Archives Nationales. [Collection de Documents Inédits sur l'Histoire Économique de la Révolution Française, publiés par le Ministère de l'Instruction Publique.] (Paris: Imprimerie Nationale. 1908. Pp. xxiv, 757.)

THIS book is concerned with one of the most important problems before those committees of agriculture and commerce, of the three French Revolutionary assemblies, whose published *procès-verbaux* were described in the last number of the REVIEW, pp. 380-381. It appears that the Constituent Assembly never seriously investigated the problem of the communal lands; perhaps because of the overshadowing magnitude of the cognate problem of the sale of the lands which were the product of the confiscation of Church property. And yet the amount of the communal lands was considerable, if we may trust an estimate, ascribed in one of the documents to Turgot, which places the area at eight million arpents and the annual income at eighteen million livres. As the subtitle indicates, the present volume carries the matter only to the passage of the law of June 10, 1793. The editor explains that a succeeding volume will show that the terms of the law were in the event modified. This was not due to any haste in preparing the law, for the committee of the Legislative Assembly began its inquiries in November, 1791, and the law was shaped according to the second of two carefully studied projects.

The volume includes: first, the replies of local official bodies to two inquiries sent out by the committee of the Legislative Assembly in regard to the best method of utilizing or dividing the communal lands; second, the reports and projects of the committee; third, several radical decrees, adopted by the assembly under the immediate impression of the events of August 10, 1792, and which ordered the division of the lands, but did not indicate the method; fourth, protests and petitions from local bodies and individuals, called forth by this hasty legislation and the troubles it had caused in the departments; and, finally, the reports of the committee of the Convention, with the text of the law of June 10.

Although these documents contain no statistical information concerning the condition and extent of the communal lands in different parts of the country, they are drawn from memorials or reports of official bodies representing a majority of the departments and make the situation

fairly clear, as well as illustrate the currents of opinion during two years belonging to the middle period of the Revolution. It is evident that the existing system was almost universally condemned for its failure to utilize adequately what was felt to be an important portion of the national resources. Differences arose mainly over the mode of division, whether this should have regard to the amount already possessed by members of the community or whether the more democratic principle of distribution *par tête* should be adopted. The work of the committee of the Convention did not differ essentially from that of the committee of the Legislative Assembly, although the language of the later reports is full of the Jacobinical phrase-making common in 1793. The text of the law provides carefully for the recovery to the communes of all lands which the seigneurs had, with or without warrant of existing ordinances, occupied at any time within forty years previous to August 4, 1789, reversing decrees of the Constituent Assembly which sought to safeguard acquired rights. The new law did not make the division of the communal lands mandatory, but permitted the inhabitants to decide whether they should be divided, leased, or sold. Neither the committee of the Legislative Assembly nor that of the Convention proposed to divide the woodlands. Both recognized that this would seriously endanger the prosperity of the country, for selfish owners would be likely to cut off the trees at once. The Convention, therefore, subjected the woodlands to the operation of the forest laws.

H. E. BOURNE.

A Century of Empire, 1801-1900. By the Right Hon. Sir HERBERT MAXWELL, Bart., F.R.S., D.C.L., LL.D. In three volumes. Volume I., 1801-1832. (London: Edward Arnold. 1909. Pp. xix, 352.)

In the preface to this initial volume of a new work on nineteenth-century English history, the author, after noting the flood of monographs recently poured forth upon the period, writes:

No human being of ordinary circumstances can draw understanding from such a multitudinous source. He may behold, indeed, this vast Sahara of information, this boundless contiguity of research, not likely to dwindle, rather to widen with the ages: but having his own garden little or large, to cultivate, what knowledge comes to him must be laid at its very pale, and in manageable supply, else he will have none of it. Can this be done, he will be so much the wiser—will even be the better gardener for it, nor are there lacking among his fellows those willing to work for him thus. It is no dullards' work to follow a clue through the legion manuscripts and private memoirs to which latter-day diligence has given access. In these, truth, elsewhere unattainable, certainly awaits a finder; but in matters historical we Britons have worn so long the coloured spectacles of Party, that the puzzle is to transmit a pure ray without sacrifice of sparkle.

It is with no sense of apology that the author admits himself one who wears "the coloured spectacles of Party". The volumes are prettily and appropriately dedicated to "The Hon. A. J. Balfour M.P., than whom no statesman has done more to preserve the dignity of Parliament, the dignity of debate, and the reasonable influence of party". Sir Herbert Maxwell has hoped, doubtless, to present truth "without sacrifice of sparkle", and may, perhaps, have feared to enmesh himself in the complicated and sometimes irreconcilable evidence of historical material. At least such is a natural conclusion after the unconvincing phrases of the ambiguous preface, and a reading of the book itself. There is abundant evidence that the work has been presented to the public without adequate examination of manuscripts and other sources, although there are a few citations of modern studies, and more of diaries and memoirs where the purely personal side of politics is being touched upon. No evidence exists that any material other than that published in England was known or used. In brief, we have here an old-style general survey, presented by a writer of lifelong acquaintance with inside British political gossip, himself a partizan, with intent to be impartial, but with no conception of modern historical requirements.

Yet the book has value. There is a real effort to break away from the insular prepossession in favor of home politics and to depict the character and significance of British activities in other than continental European relations. Thus Indian administration, the Spanish-American colonies, American expansion, are touched upon, yet, it must be confessed, in such fashion as to leave an impression of the author's unfamiliarity or indifference. By far the larger portion of the first half of the book is devoted to military history, and quite naturally so, but with nothing new or superior either in the matter or in the manner of the telling. Throughout the entire work, however, there runs the absorbing story, gossipy if you will, yet always vivid and entertaining, of political manoeuvre and intrigue. Sir Herbert Maxwell so emphasizes the force and power of the personal element in national history that his narration of the private relations, the petty jealousies, or, on the other hand, the more lofty ideals and motives of Castlereagh, Canning, Wellington, Peel, and others, gives a real life to his pen and real enjoyment to the reader. One certainly reads these portions of the work with the conviction that he is being admitted to an inner circle of intimate political friends, whose chief pleasure and business in life have been to know and discuss the game of politics as played by their leaders. Such narrations lead easily to judgments of men and their actions, and here one reads more cautiously, for in spite of the author's determination "to be watchful lest inevitable prepossessions stiffen into prejudice" (p. ix) the anti-Whig attitude is so plainly marked that the book at times more nearly approaches a polemic than a history.

In his characterization of men, it is amusing to note the author's vigor in controverting the liberal historians of an older time, as if these

had just uttered the last word. His especial abhorrence is Martineau, and, in less degree, Spencer Walpole, "blinking through liberal spectacles" (p. 262). So in the inevitable comparison of Castlereagh and Canning, he rises to a defense of the former, naïvely unconscious that Castlereagh's status was long since established, while Canning is portrayed with no apparent knowledge that any but Stapleton, "the most wooden of her [England's] writers" (p. 300), have given thought to the great foreign secretary. The author's "Let there be an end, then, to this exaltation of Canning at the expense of Castlereagh" (p. 276), is sublime. It would be unfair, however, to the writer not to add that his work offers a straightforward, readable account of English history from 1801 to 1832, careful and exact in its statements of fact.

E. D. ADAMS.

Correspondance du Comte de la Forest, Ambassadeur de France en Espagne, 1808-1813. Publiée pour la Société d'Histoire Contemporaine par M. GEOFFROY DE GRANDMAISON. Tome I., Avril 1808-Janvier 1809; Tome II., Janvier-Septembre 1809; Tome III., Octobre 1809-Juin 1810. (Paris: Alphonse Picard et Fils, 1905, 1908, 1909. Pp. xlvi, 456; 470; 492.)

It is gratifying to know that not all the credulous Europeans of the rationalistic eighteenth century who were drawn into the parlous game of American land speculation came out at the little end, with a life of regret in store. René de la Forest, as a young man of twenty-three, came to the United States with the Chevalier de la Luzerne in 1779 to serve in a modest way in the French legation. He remained here some fifteen years, as vice-consul in Savannah, as consul in Charleston and in New York. He had the sagacity to sell his properties in France before the crash of the Revolution and to invest his small capital in the broad acres of Virginia. These *vastes domaines d'Amérique* he later sold for an excellent sum, which he invested in 1803 in an attractive country-place in France. But this does not complete the *épopée*. When Talleyrand's career in France was interrupted by events which he could not control he came to America, as is well known. Here La Forest was able by reason of his experience to give the thrifty ex-bishop sound advice in regard to land purchases, and when the latter became Minister of Foreign Affairs in 1797 he appointed his obliging counsellor to a subordinate position. La Forest was launched and henceforth he sailed over prosperous seas. He accompanied Joseph to Lunéville to help make the treaty of 1801; he was sent to Regensburg to engage in the art of remaking the map of Germany; he was made ambassador to Berlin in 1803; he was ambassador to Spain from 1808 to 1813; he held the portfolio of foreign affairs in the provisional government of 1814. Louis XVIII. made him a peer of France, and Charles X. made him a minister of state. His is one of the Protean careers which enliven the history of France from Louis XV. to Louis Philippe.

His mission to Spain was the most important chapter in his career, and it is his correspondence during these years that is now fortunately being given to the world. That correspondence includes nearly nine hundred letters and bulletins, and is full of interest. The three volumes thus far published cover the period from April 9, 1808, to June 29, 1810. They are admirably edited with abundant explanatory notes by Geoffroy de Grandmaison, already favorably known by his *L'Ambassade Française en Espagne de 1789 à 1804* and his *L'Espagne et Napoléon (1804-1809)*.

La Forest was a diplomat of the old school. His letters are admirable in tone and style, measured, urbane, adroit, informing. He always has at hand the phrase that reveals and the phrase that conceals or suggests. His position was not an easy or a pleasant one. As Napoleon's accredited minister at the court of Joseph he was half ambassador, half spy. It is evident that his presence was not agreeable to Joseph. He did not have the confidence of the king, and the military men seem to have kept him in ignorance of their plans and acts. While his letters abound with military details, they are generally of minor importance, representing as they do second-hand information, and frequently mere rumors. The military side of Napoleon's Spanish imbroglio is, however, sufficiently well known, as is also the general opposition of Napoleon and Joseph, which grew out of the fact that the former's interests were European, the latter's Spanish. But the letters of La Forest are valuable as throwing curious and sharp side-lights on the political history of the time, a subject on which original material is very inadequate. La Forest sends home elaborate accounts of Joseph's entry into Madrid, of his receptions, appointments, circulars, of his appearance at theatres, churches, bull-fights, and of the attitude of the public. He describes the various activities of the king, the council of ministers, and the council of state, the introduction of the system of prefects, the abolition of the old military orders, and the establishment of new ones. He sends home the texts and analyzes the spirit of the decrees of Joseph on administration, on finance, on the army, on religious orders, on the conditions of sale of the confiscated property, on the abolition of crown monopolies, on the suppression of provincial tariffs, on the right of asylum in churches, on the creation of a stock exchange and commercial tribunals, on popular education, on the attempted introduction of the Napoleonic Code. He describes the financial distress of Spain and the attempts to meet it. He notes the divisions among the ministers of the king as well as among the generals. His letters abound with very discreet, yet pointed, criticism of Joseph, of his slowness, of his *bonté*, of his bestowal of lavish gifts, when the state was virtually bankrupt, of the influence of courtiers upon him, of his mildness toward his "rebels". Not a trace of sympathy or apparent comprehension of the inherent difficulties in the way of that monarch who ruled by grace of an imperious as well as imperial brother.

Never criticizing the emperor's conduct and always ascribing the failure of his beneficent policies to an ignorant and narrow-minded populace, a fanatical clergy, and *le machiavellisme d'Angleterre*, never betraying any sympathy with the Spaniards, La Forest yet contrives to weave discretely into his letters comments on the effects of imperial measures, which Napoleon might have taken as hints to change his conduct, had he desired hints from his emissaries. An excellent illustration of this is his account in the third volume of the feeling aroused by Napoleon's decree of February 8, 1810, annexing northern Spain to France.

Not that La Forest was especially perspicacious. His is the conventional diplomat's point of view. Everything is a matter of manipulation and finesse. He did not at all appreciate the spontaneity and profundity of the popular wrath at Napoleon; it was simply the work of designing men who had objects of their own. His forecasts have a way of being belied. In 1808 he urges upon Napoleon the importance of Joseph's immediate arrival in Spain as certain to end the uprising. The Spanish people, he said, are most devoted to the doctrine of the *real presence*. But Joseph's first stay in Madrid was limited to ten days and ended in humiliating flight. La Forest expects everything from Napoleon's own coming. The Spaniards will then see the futility of opposition and the insurrection will collapse. Such did not prove to be the case. He expects domestic tranquillity as a result of the Austrian campaign of 1809, but it was not forthcoming. La Forest was certainly not a prophet nor was he proficient in *Völkerpsychologie* but he was an industrious diplomatist who, as he said himself, sought to show some wisdom and much zeal. His correspondence is an historical source of indisputable value, but not of the first rank, because he was not in the confidence of Joseph or his ministers, or the generals or even of Napoleon.

CHARLES DOWNER HAZEN.

Duchesse de Dino (puis Duchesse de Talleyrand et de Sagan): Chronique de 1831 à 1862. Publié avec des Annotations et un Index Biographique par la Princesse RADZIWILL née Castellane. Tome III., 1841-1850. (Paris: Plon-Nourrit et Cie. 1909. Pp. 530.)

THE last part of this third volume of the *Chronique* is of more direct historical interest than were the preceding volumes, for it embodies remarkably illuminating impressions of the larger incidents of European history during a period of extraordinary changes. The first part is valuable for another reason, because it reveals a further stage in the development of a singularly strong and beautiful character. What is called *le monde* is plainly losing its hold upon Mme. de Dino, although in 1841 she was only forty-eight years old. In March, 1841, she regrets leaving the shelter of her "home" at Rochecotte, remarking "La navi-

gation du monde est la plus difficile, la plus orageuse, et je ne m'y sens plus du tout propre; je n'ai plus de pilote et je ne sais pas, à moi seule conduire ma barque." When she reaches Paris, she finds that the "monde . . . me dégoûte, me blesse, m'agite et j'y vais chaque jour moins." A year later she hears of the death of the founder of the *Journal des Débats*, a friend of Talleyrand, and exclaims, "Et puis des vides! . . . toujours des vides! . . . Quelle solitude progressive!" This does not mean that her spirit is becoming feeble. In 1848, during the excitement of the revolution in Germany, when she learns that roving bands of peasants are threatening her Silesian estates, she hastens to Sagan, arms her tenants, and prepares to defend the place to the last extremity. Nor did the movement of affairs, when it rose to a level higher than the quarrels of the political coteries in the French Parliament, fail to awaken the old instinctive zest for combats. A visit to Vienna in 1842 reminded her of the triumphs of other days, and she exclaimed, "Vienne! . . . Toute ma destinée est dans ce mot! C'est ici que ma vie dévouée à M. de Talleyrand a commencée. . . . C'est à Vienne que j'ai débuté dans cette célébrité fâcheuse, quoique enivrante . . . Je me suis prodigieusement amusée ici, j'y ai abondamment pleuré." But it was the excitement of 1848, 1849, and 1850, when the old world seemed once more in dissolution, which drove from her thoughts, or at least from the record of them, that incipient disgust of the world. In its place there was a disgust with certain men, hatred of those whom she, with her Legitimist sympathies, regarded as demagogues and petty tyrants, and a deepening interest in the dramatic struggle of authority to regain its lost mastery, and in the conflict within the field of German affairs between Austria and Prussia.

The quality of the remarks scattered throughout the volume, their clearness, brevity, and wit; the sureness of stroke and touch in sketching the character of personages, seem to justify a statement of Talleyrand, which Greville records in his diary in 1831, that the Duchesse de Dino was "the cleverest man or woman he had ever met". Her characterizations of Mme. de Krüdener, of the unfortunate Duc d'Orléans, and of Chateaubriand, are good illustrations of what she seems to do easily. For Chateaubriand she had a genuine aversion. She commiserates Mme. Récamier because it had become her function to "calmer l'irritation d'un orgueil malade et de suppléer aux émotions du succès, qui ont été la seule affaire et la seule affection de la vie de M. de Chateaubriand". A few years later, when Mme. de Dino is reading the *Mémoires d'Outretombe*, where Talleyrand's memory is maltreated, she has "soubresauts nerveux". She confesses that her uncle has been a great sinner, but adds that she would prefer to present herself before the Eternal Judgment with his feeble conscience than with "cette autre conscience pleine d'orgueil, de malice, de fiel et d'envie".

Before the revolution of 1848 broke out Mme. de Dino had taken up her residence on her Silesian estates. She was still interested in

the fortunes of France, and the excerpts made from letters which she received reveal the manoeuvres among the monarchists to re-establish the throne and to forestall the coming of the Empire. The great stumbling-block was the failure of the Orleanists and the Legitimists to find a basis for fusion. But the correspondence in regard to the situation at Berlin, or the course of the revolution in general, is more instructive. Mme. de Dino was an enlightened reactionary, and one can discover how anxiously she and her friends, at Berlin and Vienna especially, scanned the heavens along every horizon from Naples and Buda-Pesth to Holstein and London, in order to discern the first signs of the final outcome. Her impressions acquire a tense interest as the year 1850 draws to a close, with the daily possibility of war between Austria and Prussia, at least up to the "Humiliation of Olmütz".

HENRY E. BOURNE.

Garibaldi and the Thousand. By GEORGE MACAULAY TREVELYAN.
(New York: Longmans, Green, and Company. 1909. Pp. xvi, 376.)

MR. TREVELYAN has wisely chosen to write the life of Garibaldi by episodes. This enables him to produce several volumes, each of which is independent of the others, yet structurally so related to them that the reader who is interested in one will almost certainly read the rest. This method of treatment is well adapted to Garibaldi's career, which had no consecutiveness of detail, but shone in a series of exploits. In the biography of a statesman or ruler we look for more continuity wherein we can trace the evolution of his ideas and policies; but Garibaldi was a knight errant, and between one of his enterprises and the next, it mattered little what he was doing.

It is time that his heroic Sicilian Expedition should be told by a competent historian, for that was the most poetic achievement of modern times—an achievement so poetic, indeed, that it was immediately etherealized into a legend. So much has been written about it that the task of sifting is great. As in the case of our Civil War, scores of persons who took part in it have printed their recollections, or left their contemporary records—material which, for the most part, is uncritical where it is not avowedly panegyrical. The farther the Italians recede from Garibaldi, the more unreservedly do they apotheosize him as their national hero; and it must be added that latter-day Radicals eagerly seek to strengthen their current political movements by trying to make it appear that they are his followers. This also, it will be seen, renders it still difficult for any of his countrymen to write an objective biography of Garibaldi.

Possessing all the enthusiasm needed to do full justice to his hero's brilliant qualities, Mr. Trevelyan has the true historian's passion for facts which leads him to scrutinize heroism as soberly as if it were a plain, every-day affair. It would be hard to match in any recent biog-

raphy his constant reliance on details which, when taken singly, may seem commonplace, but which in their totality make up a picture that is far from commonplace. He knows everything about Garibaldi's dress, home, habits, and moods; he has visited Caprera and every spot in Sicily connected with the Expedition; he has interviewed the Garibaldini who survive; he has read the reports of those who are dead. So far as concerns knowledge of his sources, whether this be in printed book or in the land itself, he is thoroughly equipped, just as he is in those higher qualities without which no historian can excel—in fairmindedness, in veracity, and in the story-teller's gift. Evidently, therefore, we are justified in having great expectations of his Garibaldian prose epic—and we are not disappointed.

He plans to write the history of the Sicilian Expedition in two volumes. The first, which we have under review, brings the narrative down to the capture of Palermo at the end of May, 1860; the second, will complete the account of the conquest of Sicily, and then will describe the passage to the mainland, the triumphal march to Naples, the battle of the Volturno, and Garibaldi's retirement to Caprera. Probably Mr. Trevelyan will add by way of epilogue the story of Garibaldi's grievances, which culminated in his tragic attack on Cavour in April, 1861, for this is the real conclusion of the episode of the Thousand.

To link his earlier volume on *Garibaldi's Defense of the Roman Republic* with the present, Mr. Trevelyan relates the vicissitudes in the hero's life in America, his settlement at Caprera, his impatient waiting for some patriotic enterprise to turn up, his adherence to the National Society, and his rejoicing at being given the command of the Hunters of the Alps. With the opening of the Italian war of 1859, Mr. Trevelyan is on congenial ground. He describes vividly the operations of the Hunters in the mountains and along the lakes, making it clear that although Garibaldi's audacity might have been terribly punished, yet it actually succeeded, and contributed indirectly, by delaying Urban, to the Allies' victory at Magenta. The sudden stopping of the war at Villafranca left Garibaldi without an occupation. His brief service under Fanti, which ended in his resignation, and the feverish winter of 1859-1860, Mr. Trevelyan describes briefly but sufficiently. The last third of the book he devotes to the organization and sailing of the Expedition, and to its exploits from Marsala to Palermo.

The historical student will find throughout the volume a clear understanding of the interaction between the governmental and the revolutionary forces. He will be inclined to regard Mr. Trevelyan's word on many disputed points as final. Next to his love of narration, the author delights in the critical discussion of evidence, and his acuteness in cross-examination of this sort is remarkable. On some crucial matters, however, he hesitates to give a downright verdict. He leaves undecided the question of the alleged forgery of the "good news" telegram by which Crispi persuaded Garibaldi to start; but on the other hand he im-

plies that Cavour, whatever diplomatic prudence compelled him to say in public, gave the Thousand such help as he could. Mr. Trevelyan's statement of the attitude of the Sicilians, while it may not please those who are all enthusiasts *after* the victory, is unquestionably correct. Contrary to Crispi's assertions and to general belief, the islanders were not burning for a revolution; here and there small groups of agitators, mostly Mazzinians, were at work, but they neither controlled large bodies of the natives, nor were ready to bring Garibaldi much valid support when he came.

The final achievement of the biography is the lifelike portrait which it presents of Garibaldi. Mr. Trevelyan paints him as he was—a strange compound of great and little qualities, who, in spite of everything, had an almost supernatural fascination for his followers and held Europe spellbound by his exploits. To have achieved this, measures the skill of the biographer, who has neither whitewashed defects nor suppressed truths that might detract from his hero's unique prestige. Another historian might have emphasized other points in the story, but no one can say that Mr. Trevelyan has not produced by far the best book ever written on the subject—a work which, if its conclusion equals the present volume, is not likely to be superseded. As an example of the proper blending of biography and history, it may be commended to students of historical writing.

A word must be added on the accessories. Mr. Trevelyan provides many contemporary portraits of the principal persons and views of the places described, as well as five excellent maps. He has nearly a score of appendixes in which he discusses questions raised in the text. An ample bibliography contains the titles not only of printed material, including newspapers and magazines, but also of inedited manuscripts and of notes of conversations.

WILLIAM ROSCOE THAYER.

BOOKS OF AMERICAN HISTORY

The German Element in the United States, with special Reference to its Political, Moral, Social, and Educational Influence. In two volumes. By ALBERT BERNHARDT FAUST. (Boston and New York: Houghton Mifflin Company. 1909. Pp. xxvi, 591; xvi, 605.)

An adequate general discussion of German influence in the United States has been a desideratum for a long time. It is true that a number of valuable books have been published on various phases of the subject, such as the works of Seidensticker, Kapp, Löher, and Rattermann, the publications of the Pennsylvania German Society, and the various volumes of the *Deutsche Pionier*; but no one had succeeded in covering the whole field in a satisfactory manner. A new impetus was given to investigations along this line, when in March, 1904, three prizes were

offered by Mrs. Catherine Seipp of Chicago for the best monographs on the German element in the United States. In this contest the first prize of three thousand dollars was awarded to Professor A. B. Faust of Cornell University. The book before us is the publication in revised form of the manuscript submitted in competition for this prize.

In these two handsome, stately volumes, richly illustrated, we have for the first time a complete survey of the whole subject of German influence in the United States; and as we turn over the pages and note the extensive bibliography, the unusually complete index, and numerous foot-notes, we cannot avoid a feeling of respect and admiration for the indomitable energy and industry, the results of which are here contained.

The book is divided into two somewhat sharply differentiated parts: volume I. being largely historical; volume II. representing more in detail the *Cultur-historische* side of the discussion. Thus in volume I., we have an admirable general view of the successive waves of German immigration, such as the settlements in the Mohawk and Schoharie valleys, and in New Jersey; the more important immigration to Pennsylvania, and its overflow into Maryland, Virginia, and the two Carolinas; as well as the independent settlements of the Salzburgers in Georgia, the sparsely scattered German communities in New England, and the later migrations to the West.

Of course in this part of the book, the author found predecessors but he has done good service in summing up the main facts in a clear and interesting manner. One part of the first volume, however, that contained in chapters xii. to xv., under the general title of the Winning of the West is the result of independent research on the part of the author, who has done much to give due credit to the Germans in the work of defending and advancing the frontiers of the American colonies—a credit which has hitherto been largely monopolized by the Scotch-Irish.

The second volume is almost entirely the result of original investigation, and represents an enormous amount of work on the part of the author, who has ransacked newspapers, examined libraries, consulted experts, and corresponded with a large number of individuals. In this way he has brought to light a multitude of new facts concerning the influence of the Germans in the various phases of American civilization. Thus we have chapters on what they have done for agriculture, bridge-building, naval-architecture, lithography, and the various manufactures of iron, steel, glass, pottery, and musical instruments. Other chapters discuss the part taken by Germans in music and the fine arts, in literature and journalism, and in the political and educational development of the country, while a general survey is given of the various German religious denominations.

Yet these numerous facts are not scattered helter skelter throughout the book, but are arranged under appropriate headings. In fact, taking the second volume as a whole, we have not merely a discussion of the

German element on the various phases of American activity, but a genuine contribution to the *Culturgeschichte* of our country. Thus in the chapters on education, music, the joy of living, etc., the part played by the Germans is introduced by a general outline, brief though clear, of the whole history of the subject under hand.

One phase of the subject has been discussed by the author with a thoroughness and impartiality worthy of high praise, and that is the estimate of the number of persons of German blood in the United States. This is an exceedingly delicate question, and the most extravagant statements have from time to time been made, some going so far as to claim one-third of the population of the United States for the Germans. Professor Faust in his careful and cautious study of the Census reports and other sources has come to the conclusion that the number of persons of German blood is only eighteen million. This is probably as near to the truth as we can hope to come.

From the above brief review but a feeble idea can be obtained of the enormous amount of research and study embodied in these two volumes. The bibliography of more than eighty closely printed pages shows the extent of the sources laid under contribution.

In spite of the multiplicity of names, dates, foot-notes, etc., we have noticed comparatively few actual errors; in the note to volume I., page 112, the subtitle of the writer's book on the *German and Swiss Settlements of Colonial Pennsylvania* should be a *Study*, not a *Story of the so-called Pennsylvania Dutch*; the name of the well-known Lancaster County family Hershey is given in several places as Herschey, a form which I think never occurs. So also volume I., page 112, note, the name Gochenauer is given as "Goshenauer", and in volume II., page 40, "Echelburger" should be Eichelberger. On page 454, volume II., Professor Faust speaks of the name Blauvelt, as one which "points to a German origin". This name is not German but Dutch as the "w" in the first syllable of the original form, Blauwvelt, and the "v" in the second syllable indicate.

Yet these inaccuracies are but slight blemishes on a work that is worthy of the highest praise for its scholarly thoroughness, its impartiality, its logical arrangement, and the interesting style in which it is written. It will undoubtedly be the standard in its own field for a long time to come, and all students of the history of the United States will find in its pages, not only a storehouse of indispensable facts, but a model for the similar treatment of other racial constituents of our national life.

OSCAR KUHN.

The Expansion of New England: the Spread of New England Settlement and Institutions to the Mississippi River, 1620-1865. By LOIS KIMBALL MATHEWS, Instructor in History in Vassar College. (Boston and New York: Houghton Mifflin Company. 1909. Pp. xiv, 303.)

THIS study attempts "to untangle, from the complex skein of our national history, the one strand of the New England element", or in other words "to ascertain roughly what part New England has played as a frontier-maker;—how she has founded towns and institutions not only within her own borders, but far beyond the Hudson and the Alleghanies" (p. 9).

The first part of the work is an admirable description of the movement from the New England sea-coast to the interior. There are chapters on the beginnings of an American frontier, from 1620; the influence of Indian warfare upon the frontier, 1660-1713; the forty years of strife with the wilderness, 1713-1754; and events on the frontier, 1754-1781. These chapters are interesting and instructive. The research is thorough and the maps appear to be constructed on a sound principle (appendix A).

The second part deals with the movement of New Englanders into the West. Here is treated the beginning of the great migrations, 1781-1812, and the settlement of the Old Northwest, to about 1860. The final chapter sums up what the author conceives to be the results of two centuries and a half of New England pioneering. This part of the book is not so well done and it is doubtful if it adds much to what was already known of the general features of New England settlement in the West and New England influences in respect to education and local government.

The maps for the movement into the West are open to criticism and they may be said to illustrate the inconclusiveness of the second part of the book. The legend on these maps is (yellow) New England Settlement and (gray) All Other Settlement, but the author evidently does not intend that the markings shall be taken literally. It is doubtless the intention to show that there was some New England settlement in the portions colored yellow and the question naturally arises as to the extent of that settlement and the relation it bears to other settlement in numbers and influence. On the map showing New England settlement east of the Mississippi River before 1860 (frontispiece) the district about Cairo, Illinois, is colored yellow. The text tells us that south of Springfield, Illinois, only "a stray Connecticut or Massachusetts pioneer might be found", and the marking in this case appears to be based on the fact that one of the founders of Cairo was born in Hartford, Connecticut (p. 215, and n. 2). The northern counties of Illinois are shown as "New England settlement" and the text (p. 215) states that "the fourteen northern counties . . . were settled solidly by emigrants from

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the states east of the Hudson River or from New York itself." It should be noted, however, that the foreign-born population of the five northern counties adjacent to Chicago was, in 1860, over sixty-eight per cent. of the whole. Southeastern Michigan is colored solidly yellow notwithstanding the fact that in 1860 the foreign population of four southeastern counties about Detroit was fifty-two per cent. of the entire population. For nine counties in the same part of the state the foreign population was thirty-three per cent.

This is enough to show that while the maps may be suggestive they cannot be taken literally. They do not appear to be worked out on the basis of a unit, such as the county, and the information they purport to furnish is, therefore, too general to be valuable. It is evident that the areas marked New England Settlement are not occupied exclusively by New Englanders, and it is probable, on the other hand, that New Englanders settled in places not indicated on the maps. As the maps now stand they tend to exaggerate the New England element in the Old Northwest, and they show how difficult it is to untangle the New England strand from the "complex skein of our national history".

Selections from the Economic History of the United States, 1765-1860. With Introductory Essays by GUY STEVENS CALLENDER, Professor of Political Economy in the Sheffield Scientific School, Yale University. (Boston and New York: Ginn and Company, 1909. Pp. xviii, 819.)

In the present volume Professor Callender has provided a convenient body of collateral reading, mostly from contemporary writers, which will help to a better understanding of our social and political development than the ordinary source-book of charters and laws. Especial value is given the volume by the editor's own comments, which preface each chapter of selections. For the historian those chapters will be of the greatest interest in which the relation of economic affairs to politics is traced.

"The influence of economic conditions upon our political affairs", writes Professor Callender, "has been enormous, and no correct understanding of American politics is possible without taking it into consideration" (p. v). This influence, he thinks, has not been given due importance by historians. "The true causal relation between the action of government and economic conditions is often reversed in the historical account. The latter are supposed to be the result of the action or non-action of government, when in reality they have been determined by other forces, and have had great influence in determining political action itself. This is an error that is the more likely to appear in American history, because the writers of it make large use of public documents and the utterances of public men, who are always interested in making the government receive the credit, or bear the blame, for

whatever of prosperity or economic depression accompanies or follows political action. Moreover, few of them have had the training necessary to accurately trace cause and effect in economic affairs" (p. 180).

Although the greater part of the book is devoted to a description of the economic life of the people at different stages of their development between 1765 and 1860, including such topics as colonial economy, internal commerce, transportation, manufactures, currency, the settlement of the West, and the organization of labor and capital, a large share is devoted to an economic interpretation of American political history. Economic depression and the reluctance to pay due to the unorganized and dispersed state of society account for the Revolution rather than denial of political rights or a stamp tax. "Economic conditions . . . wrecked the old Confederation; while prosperity . . . smoothed the way for the establishment of the new government and insured its extraordinary success." On the other hand, the tariff, in spite of the dominant rôle it has played in politics, is held to have had but a relatively slight effect upon economic development. The discussion of slavery contains some fresh and suggestive views: the scarcity of capital, rather than the institution itself, is held responsible for many of the economic evils usually ascribed to the latter. Professor Callender distinguishes carefully the various economic and social classes in Southern society, and pays special attention to the small non-slave-owning farmer. All in all, the volume will be found stimulating and informing, in spite of the strictures upon historical method.

A History of the United States and its People from their Earliest Records to the Present Time. By ELROY MCKENDREE AVERY. In sixteen volumes. Volume VI. (Cleveland: The Burrows Brothers. 1909. Pp. xxxiv, 478.)

THIS volume of Dr. Avery's large popular *History of the United States* covers the period from 1776 to 1787—from the Declaration of Independence to the conclusion of the work of the Constitutional Convention. The military campaigns about New York, of Trenton and Princeton, of Brandywine and Germantown, of Saratoga, of Valley Forge, Monmouth, and Newport, of the struggle for the South and the closing scenes at Yorktown—these leading features of the war are treated of in one-half of the chapters devoted to the volume. One chapter is given to Foreign Relations and the French Alliance, one to European Complications and the Armed Neutrality, one to the Navy and the War on the Sea, one to the Finances of the Revolution, one to the Tories, and one to the New Governments, state and confederate, that were organized during the struggle. The titles of the chapters, sometimes figurative, are suggestive of large studies, but the content of the respective chapters is not found to be extensive, as the paper is heavy, the type is large, the margins are wide, and the maps and illustra-

tions are numerous. The brief chapter on the Loyalists of the Revolution contains fewer than three thousand words, and it is rather surprising to note that in the bibliography on that chapter Professor Van Tyne's well-known work on that subject is not named, though that author is made responsible in the body of the text for the statement that "fifty thousand loyalists were drawn into the military service of Great Britain." It seems that even a lazy reader of a popular history would be pleased to note in what work an authority on the subject has set forth his opinion. The chapter, however, sums up briefly the salient and most interesting features of the Tory controversy, without the addition of anything new. In the chapter entitled Peace there is a good summary of the peace negotiations of 1782, obviously written with a view of bringing out the interesting personal, not to say spectacular, features of that great achievement in our history. The chapter closes, while discussing the disbanding of Washington's army, with a rather unusual recognition of the services of negro troops in the Revolution.

The "critical period" of the Confederation is treated of under the title Disabled and Drifting. The chapter does not present a consistent constitutional study but consists rather of a miscellany of topics usual to the period, so that the reader will hardly be led to appreciate the real significance of the Confederation as a chapter in the growth of nationalism and union. Likewise in the concluding chapter entitled Building the Ship, the character of the problem before the Convention of 1787 and the permanent political and constitutional significance of the issues at stake are not sufficiently indicated to answer the needs and purposes of the serious reader, not to mention the inquiring student. The volume falls short chiefly on the constitutional side. The period covered by this volume is highly important for the consideration of the great central controversy of our history—the conflict between state sovereignty and nationality. The reader of Dr. Avery's volume will hardly obtain a due appreciation of that controversy. The formation of the Confederation—the account of which might lead to a narration that would be too dry and technical for the author's taste—is disposed of in this large work in a brief paragraph (p. 57); and the students of our national history will not greatly respect the dictum that until 1781 the Continental Congress "exercised the political power of the country and was recognized by all the colonies as *de jure* and *de facto* the national government". Maryland's services in the formation of the Union are not recognized. Reference is made to the fact that she was the last to ratify the Articles, while her important reasons are withheld from the knowledge of the reader. Toward the last of the volume (p. 399), in the chapter on Opening the West, it is mentioned that Maryland "held up the articles of confederation until she was assured that the western lands should become common property" for future independent states—an act that is regarded as a "perilous cutting away from the almost universal notion of supreme state sovereignty",

and "the first expression of an idea that has overwhelmed the theory of union on which the articles of confederation were based". The author speaks of the fierce indignation aroused against Maryland on this account, which led some to favor her division "between the neighboring states and erasing her name from the map". This is certainly not an adequate presentation nor an enlightening interpretation of one of the most important and significant controversies in the beginnings of our constitutional union.

In the Opening of the West there is a commendable account of the early United States land surveys, describing the work of Thomas Hutchins, geographer and surveyor-general, together with an exposition of the Geographer's Line and the reservation of section 16 for public schools. This account is accompanied by a finely executed map of the Seven Ranges made on the Geographer's Line running due west from the point where the west boundary of Pennsylvania intersects the north boundary of the Ohio River. North and south lines, six miles apart, were to divide the territory into the seven ranges, and east and west lines into townships.

The volume is richly illustrated and as a specimen of the book-maker's art it fully maintains the standard set by its predecessors. In this respect it is a distinct credit to the author and the publishers. There are nearly four hundred illustrations, counting the maps, which are of uniform clearness and excellence, and the autographs, which are always interesting, while but few of the illustrations are fanciful. There are nearly fifty portraits, many of them of decided historical value, including, besides the frontispiece of Stuart's Washington, interesting portraits of Generals Sullivan, Schuyler, Kosciuszko, Wayne, Stark, Morgan, and George Rogers Clark, and of André, Vergennes, Paul Jones, Brant, Arnold, and Peggy Shippen.

Speaking again from the criterion of historical content, while the work does not present a very serious study of our political and constitutional development and while the proportions and interpretations of the author may be criticized, the volume, on the whole, may be said to have fairly accomplished its purpose—that of presenting in popular form, the salient, important, and significant personages, aspects, and events of the times with which it deals.

Cornelius Harnett: an Essay in North Carolina History. By R. D. W. CONNOR. (Raleigh: Edwards and Broughton Printing Company. 1909. Pp. 209.)

MR. CONNOR has attempted neither a biography nor a history, but he has given us, as the title reads, an essay in the history of the Revolution in North Carolina, with the career of a leading actor in that struggle for its central theme. It is not a philosophical essay, but a brief and attractive narrative of the events in which Harnett took part. Within the limitations the author has given himself it is a very satis-

factory book and indicates ability to do larger and more detailed investigation in the best spirit.

The sanity of the treatment is manifested in its indifference to the myth of the Mecklenburg Declaration of Independence, which the good work of Hoyt and Ashe has discredited, making it possible for an accurate historian to ignore the thing without unpleasant consequences in the state of North Carolina. Mr. Connor's eighth chapter witnesses the gain from this achievement; for by reason of this elimination he is able to treat the early stages of the Revolution as an evolution, existing first as the idea of individual leaders, then as the expression of the will of county committees, and finally as the decision of a provincial congress. Formerly the assumed sporadic and impossible claim of the Mecklenburgers put the historian to fighting windmills when he might have been tracing historic developments. Mr. Connor is also to be commended because he has ignored a tendency too common in the past to make it an important object to prove that this or that event was the first of its kind in American history. Such tuft-hunting is fatal to good treatment, and the history of North Carolina—the development of her institutions and the solution of problems as they have been presented—offers a better field of investigation.

Cornelius Harnett played an important part in the Revolutionary struggle. He was a wealthy resident of the lower Cape Fear region who seems to have imbibed deeply the spirit of resistance which was common in that section throughout the administrations of Johnston and Dobbs and which flared up again in the Stamp Act troubles. Boldness, strong individuality, and active administrative ability rather than constructive legal capacity seem to have been his best characteristics. He was one of the most aggressive inciters of resistance and as head of the newly established state government placed the defense of the movement on a better footing than it occupied under his successors. Later he was a member of the Continental Congress where he attracted no great notice; and he died in 1781 from exposure while a prisoner of the British force operating under Major Craige around Wilmington.

Mr. Connor's story deals with North Carolina history in this early part of Harnett's career. It is probably the best, most connected, and sanest presentation of the state's history in the critical years during which the change was absolutely made. Besides the biographical thread which runs through it, the study is chiefly institutional. Military affairs receive little attention, which is entirely justifiable under the circumstances. It is more disappointing, however, that we do not get a larger view of Harnett's private life. Also, the author's tendency to quote from writers who do not know as much about his subject as he himself is a minor fault in an otherwise very excellent piece of work.

JOHN SPENCER BASSETT.

Minutes of the Commissioners for detecting and defeating Conspiracies in the State of New York: Albany County Sessions, 1778-1781. Edited by VICTOR HUGO PALTSITS, State Historian. Volume I., 1778-1779; Volume II., 1780-1781. (Albany, N. Y.: Published by the State. 1909. Pp. 430; 431-836.)

THE Loyalists in the state of New York during the American Revolution were relatively more numerous and more active than in any other of the thirteen colonies. The printed primary materials from which one may obtain their history consist of controversial pamphlets, the newspapers of New York City, memoirs and diaries of the leading Tories, and the published archives of the Revolutionary period. But a large quantity of sources and by far the most important portion for a complete treatment of the interesting Loyalist movement in New York, is still in manuscript. Most of these valuable documents are now in the hands of the state, in the capitol at Albany. Practically the only effort made to edit and publish any part of these manuscripts was under the administration of Mr. Hugh Hastings, state historian, preceding the incumbency of Mr. Paltsits. Mr. Hastings published the *Public Papers of George Clinton* in eight volumes which have been, with propriety, severely criticized in the AMERICAN HISTORICAL REVIEW.

These two volumes are models of book construction. They are printed in large type on strong white paper and are durably bound in heavy buckram. The work makes a positive contribution to the printed sources on both the alertness and activity of the newly formed commonwealth, and also to the unique part played by the Loyalists or Tories. Of the mass of unprinted documents relating to the history of New York during the American Revolution, the "Minutes of the Commissioners for detecting and defeating Conspiracies in the State of New York" is the most important. Mr. Paltsits is to be highly commended for having taken up this work as his initial task.

The editing, so far as it goes, has been done with praiseworthy care and accuracy. Much valuable information, however, both biographical and political, as well as many explanations of obscure points in the text, might have been added in foot-notes as a fitting commentary on the text. For instance, to have given a summary on page 807 of the total amounts expended by the commissioners in carrying on their labors would have been an item of great interest.

In an introduction of fifty-two pages Mr. Paltsits has given an excellent brief explanation of the forces and policies which brought into existence this board of commissioners. He makes clear the origin of the inquisitorial machinery in New York, the legal status of these bodies, the scope of their powers, and the final transfer of their prerogatives to the established courts. Then follows in the second chapter a more specific illustration of the wide range of activities which devolved upon the commissioners. The methods employed in dealing with

the various classes of delinquents are fully described. The introduction is followed by a history of the manuscript itself, a full list of the commissioners, a schedule of the meetings held, and a record of attendance. In appendix I. are given the laws of New York relating to the powers and duties of the commissioners in dealing with the Loyalists and other offenders under their jurisdiction. Appendix II. is devoted to transcripts of the financial accounts of the entire body of commissioners which are believed to be substantially complete. In appendix III. are printed the first general commission to the commissioners in 1778, sample oaths required of Loyalists to prove their allegiance to the state, a certification of Tories, and an order of exchange of a Loyalist for a patriot prisoner. The work is illustrated by six fine facsimiles taken from various parts of the original minutes.

A third volume will constitute an analytical index. This volume has not yet come from the press. If the indexing is done in as thorough and as scholarly a manner as the editing of the text, this work as a whole will take a very high rank among the printed archives of the Empire State. It is a matter of congratulation to those interested in historical work that the great commonwealth of New York has secured the services of an accurate historian to discharge its serious obligation of preserving, arranging, and preparing for publication its wealth of historical material still unprinted.

ALEXANDER CLARENCE FLICK.

Report on "The Star-Spangled Banner", "Hail Columbia", "America", "Yankee Doodle". Compiled by OSCAR GEORGE THEODORE SONNECK, Chief of the Division of Music, Library of Congress. (Washington: Government Printing Office, 1909. Pp. 255.)

THIS is a most important contribution to the history of American music. Although modestly stated as "compiled", the volume is much more than a compilation. In fact the expression of the author's individual views as to the relative popularity of "Yankee Doodle" and "Dixie" has caused some flurry of criticism in the press. We have no more careful investigator in the field of American music than Mr. Sonneck, and the subject he here undertakes certainly requires all his powers. In no field of music is there so much doubt and vagueness as in the evolution of great national melodies. "God save the King" has caused volumes of research and its origin has not been surely established yet. The "Marseillaise" has also caused many arguments. National music is far too often enshrouded in pseudo-history or in absolute fiction.

Mr. Sonneck has carefully sifted the false from the true and even if, at times, he has not discovered the history of the song, as for example in the case of "Yankee Doodle", he has at least cleared the field of its many errors, for which future historians will thank him. Incidentally also, he has given most interesting side-lights upon some of

the lesser characters connected with the creation of the songs. Dr. Beanes, who was the occasion of Francis Scott Key's expedition to the British fleet, Johannes, or Philip, Roth, connected with "The President's March" which led to "Hail Columbia", Dr. Schuckburgh who has been considered the founder of "Yankee Doodle", Gilbert Fox who first sang "Hail Columbia", all these stand out as living characters and not mere shadows upon the historic page.

In "Yankee Doodle" Mr. Sonneck has had the assistance of one of the most indefatigable investigators of America, Mr. Albert Matthews of Boston, whose researches in this matter still remain unpublished, but are generously and freely placed at the disposal of investigators.

Let us briefly sum up the results of the search for the origin of our national songs. "The Star-Spangled Banner", written by Key, was probably composed by John Stafford Smith, in England, as a drinking song.

"Hail Columbia" was composed as "The President's March" probably by Philip Phile, although this claim is not yet free from doubt and the very name of Phile is not surely ascertained. Philip Roth (first name doubtful) also remains a claimant to the honor of having composed this melody. Joseph Hopkinson wrote the words.

"America" is fortunately taken quite out of the field of doubt. It was written to the tune of "God save the King", by Samuel F. Smith, then a theological student at Andover, for a children's Fourth of July festival at Park Street Church.

"Yankee Doodle" remains enshrouded in mystery. There is some doubt as to whether Dr. Schuckburgh wrote the words which brought the tune into notice in America. There are dozens of variants of these words. The tune cannot be traced to its origin. Mr. Sonneck begins to think that the modern form of the melody is a composite made up of two different tunes of different epochs. Absolutely nothing has been ascertained regarding the origin of the melody, and here the amount of careless statement, of invention and unreliable "recollections", is disheartening. Yet Mr. Sonneck has at least disposed of many of the errors and cleared the field for further investigation.

Many excellent facsimiles adorn the book, a few misprints mar it, and it has an excellent index.

Louis C. Elson.

Robert Fulton and the "Clermont". By ALICE CRARY SUTCLIFFE, Great-Granddaughter of the Inventor. (New York: The Century Company. 1909. Pp. xv, 367.)

THE writer of this book seems at times to feel her limitations on the technical side of her great-grandfather's life, but she has nevertheless produced a biography of singular charm and interest in an astonishingly brief compass. It is a model in its way. She has per-

mitted the inventor to speak for himself in numerous unpublished letters and drawings and, while keeping the central idea of the *Clermont* in view, she has touched upon his many activities in such a way as to show the gradual growth of his ideas on steam-navigation.

The successful voyage of the first steamboat on the Hudson was a matter of tremendous significance to America. It opened the way to the navigation of the western rivers and thus to the development of a great territory. Its importance as the beginning of an epoch was such that Robert Fulton's association with other interests has been largely lost sight of. He was in the first place a successful portrait-painter and next an engineer with a genius for invention, and always a business man who combined common sense and good judgment with extraordinary power of imagination. These qualities are very strongly brought out in Mrs. Sutcliffe's biography, which is published at a particularly auspicious time. It reveals the man as profoundly endowed with a belief in peace among nations. His inventions were either for the promotion of commerce in a large way or for the purpose of making war so horrible that it must necessarily cease. The submarine and the torpedo were his chief concern at one period of his life and he seemed to have cared little what nation used them, always excepting his own country. He proposed going to the bitter end in warfare, when, in a letter to the French commissioners (p. 324), he wrote "Another mode would be to go with cargoes of bombs and anchor them in the entrance of rivers so as to cut off or blockade the commerce. 2 or 3 hundred, for example, anchored in the Thames or the Channels leading to the Thames would completely destroy the commerce of that river and reduce London and the Cabinet of St. James to any terms. No pilot could steer clear of such hidden dangers,—no one dare to raise them even if hooked by grapplings, as they could not tell the moment they might touch the Secret Spring which would cause the explosion and destruction of everything around them." This was a deliberate proposition to blockade London by planting torpedoes dangerous alike to peaceful traders and to those bearing arms.

The book reveals Fulton as another of the great Americans who began life on a farm under pioneer conditions with wholesome surroundings. He attended a country school and had little education except what he obtained for himself by hard study after leaving home at the age of seventeen. The early part of his life is admirably portrayed by his biographer in a brief chapter showing his growth from a boy of dreams into a man capable of carrying out great ideas. The two chapters on his life in France where he devoted a large part of his time to the problem of steam-navigation, called specially to his attention by Robert Livingston, are most interesting in bringing out the gradual adaptation by study and experiment of the steam-engine to the propulsion of a hull. Experiments were tried on the Seine with

only fair success, but nevertheless with the incidental advantage of giving the inventor definite data for the design of the *Clermont*. He did not approach the latter problem either by inspiration or guess-work. A ship was definitely planned on tolerably exact information. This method seems to have been typical of Fulton, and his great-granddaughter has represented him truthfully not only in what she has herself written, but also in what she has taken from his letters. Another fact is frankly admitted. He was not the originator of the idea of propulsion by steam. Others had tried it and failed. He was the first to build and operate a steamboat successfully commercially from the very beginning.

The nation owes him a debt of gratitude therefore as a designer and builder, a man with a rare combination of imagination, boldness, and technical knowledge. Mrs. Sutcliffe has indicated this so clearly by quotations from other writers that she leaves us in no doubt. One closes the book and its inspiring collection of Fulton's own productions with regret and with the wish that more were to follow.

Robert Y. Hayne and his Times. By THEODORE D. JERVEY, Second Vice-President of the South Carolina Historical Society. (New York: The Macmillan Company. 1909. Pp. xix, 555.)

ACCOMMODATING himself to the dearth of intimate materials upon Hayne's life and the wealth of data upon the general history of South Carolina embodied in the newspaper files and pamphlet collections of the Charleston Library, Mr. Jervey has devoted his book more to the times in South Carolina and particularly in Charleston, and to the course of federal politics upon the state-rights issue, than to a detailed narrative of Hayne's doings. In fact the book is principally a chronicle of Charleston affairs from 1791 to 1839, with Hayne's career a recurring rather than a continuous theme. In many portions the account is colorless; but at many points a penchant of the author appears. He takes or makes very many opportunities to lay stress on the meritorious deeds of Charles Pinckney and to quote laudatory notices of William Lowndes, and, on the other hand, to make derogatory remarks concerning Calhoun. The author is a Charlestonian of the strictest loyalty and tends to celebrate Charlestonian talent and merit as represented in Pinckney, Lowndes, and Hayne. He characteristically considers that Calhoun, a non-Charlestonian, has been magnified at Hayne's expense and that it is part of his duty to right the wrong. In several matters Mr. Jervey points out errors in Hayne's views, but in the great instance of variance between Hayne and Calhoun in 1830-1832, as to the basis of state sovereignty, he labors zealously but without happy result to support Hayne's position. Hayne in his reply to Webster spoke of the federal compact as made and existing between the several states and the central government, with sovereignty vesting in each of the parties. Calhoun, rejecting this,

contended that the states alone were sovereign and in creating the union had established the central government as an agent which possessed no sovereignty. Mr. Jervey (pp. 293-295) says that this would have been the case had the states by their action of 1787-1789 established a union *de novo*, but that it was not true in fact because what had been done in 1787-1789 was merely to revise and make more perfect the "perpetual union" already existing by virtue of the old Articles of Confederation. To support this view he cites the resolution adopted by the South Carolina assembly in 1787 appointing delegates to the Philadelphia convention, which authorized them to join in the revision of the Articles, to be effective upon the approval of the central government then existing and of the several states. "This", says Mr. Jervey, "seems to bear out the idea of the constitutional compact which both Webster and Calhoun thought erroneous, when advanced by Hayne; namely, that the general government was a party to the compact." As a matter of fact, however, the delegates from South Carolina and the other states did not use their authority to make the existing compact more perfect, but to draft a radically new constitution, ignoring the amending machinery of the old and providing for the new to become effective upon its ratification by nine states. The Congress of the Confederation, furthermore, did not ratify the new constitution, but merely referred it to the several states for submission to conventions. Accordingly, if the compact theory of the Union is to be held at all, and states' rights based thereon, it must be Calhoun's theory of a compact between the states, and not Hayne's theory of a compact between the central government and the several states.

The high lights in Hayne's career as given by Jervey are his several speeches in the Senate, in 1824 on the tariff, in 1827 on the Colonization Society, and in 1830 in reply to Webster, his gubernatorial proclamation of 1832 in reply to Jackson's threat of coercion, and his champion-ship of the Louisville, Cincinnati, and Charleston Railroad project in the closing years of his life. Each of these principal episodes the author treats in the main admirably; but in several instances he overstates his case, as when he endorses Hayne's neck-or-nothing policy in promoting the Louisville, Cincinnati, and Charleston Railroad on the ground (p. 531) that if the plan had succeeded and the railroad had been built its operation would have made the Northern and Southern people so much better acquainted with one another that the Civil War might well have never occurred. This argument is hardly short of fantastic. Again (pp. 80, 81), he exaggerates the importance of the repeal in 1818 of the law which had prohibited the importation of slaves from other states into South Carolina. The federal censuses show that the average rate of increase of the negro population in South Carolina between 1810 and 1860 was substantially smaller than that of the negroes in the United States at large. This indicates that South Carolina was in that half-century more of a slave-exporting than a

slave-importing state, and that a prohibition of slave imports would have had no appreciable influence upon the ratio of increase of her negro population.

The style of the book is unpolished and the narrative overladen with details and digressions. But the amateur quality of the work is itself not unattractive. The book affords a relief from the monotony of that school of American historical writers who walk ever in trodden paths. The author has rendered a valuable service in describing South Carolina developments and in presenting the career of one of her truest sons, eloquent, upright, devoted, and lovable. We shall hope for further historical work from Mr. Jersey's pen.

ULRICH B. PHILLIPS.

Annual Report of the American Historical Association for the Year 1907. Volume II., Part I. *Diplomatic Correspondence of the Republic of Texas.* Edited by GEORGE P. GARRISON, Ph.D., Professor of History in the University of Texas. (Washington: Government Printing Office. 1908. Pp. 646.)

TEXAS was for a time the most critical diplomatic battlefield of Christendom. The publication of her correspondence has therefore been a historical desideratum of no little consequence, and one has great reason for thankfulness in taking up the first of the two volumes which are to present it, edited by a scholar better qualified than any one else for his task and put forth by the American Historical Association in excellent form. The contents of the volume are in general the correspondence with the United States down to the close of 1842; and among the subjects upon which light is thrown are the internal condition of Texas, the characters and purposes of her public men, her relations with the government and the Federalists of Mexico, her southern and her northern boundary difficulties, her Indian troubles, the moral and material assistance drawn from the United States, the Santa Fé expedition and its sequel, the questions of postal arrangements with the United States and fugitives from justice, American relations with Mexico and action in behalf of Texan independence, the treaty of amity, navigation, and commerce with this country, political conditions here, the motives and aims of our statesmen, and—above all other subjects—the questions of recognition by this government and annexation to our Union. After a chronological list of the documents, an introduction which indicates how official relations between the two countries were established and whence the documents have been obtained, and a needful list of the oft-changing Texan officials, comes a very useful Calendar of Correspondence Hitherto Printed. Here it was doubtless found difficult to adopt a logical rule of inclusion. One finds, for example, a letter from ex-President Jackson to an anonymous American (p. 39) and a note from the Mexican minister to Calhoun (p. 45), but not Webster's highly im-

portant despatch of July 8, 1842, on the affairs of Texas (*House Ex. Doc. No. 266, 27 Cong., 2 sess.*), the letter of the Texan consul at New York, January 4, 1844 (Jones, *Memoranda*, p. 303), on the prospects for annexation, nor even that from Miller, special secretary of the Texan legation at Washington, April 28, 1844 (*ibid.*, p. 345), on the same subject. Donelson's note to Allen, April 16, 1845, is entered twice (p. 45); and, if one looks up the reference for Terrell to Eve, October 15, 1842 (p. 32), one finds Van Zandt to Webster, December 14, 1842, which is substantially the same thing but might not be recognized as such by the inquirer. Then follows the Correspondence Hitherto Unpublished, which forms the body of the volume and presents countless illustrations of the editor's fidelity and scholarship. With propriety he has omitted some documents of slight significance and occasionally cut out a paragraph of the same character; but it is a question whether certain important documents which, though in print, are beyond easy reach should not have been given. For instance, the investigator is referred (p. 30) for the instructions to the Texan minister at Washington regarding annexation, January 20, 1842, to the (*Houston Telegraph and Texas Register*) of November 26, 1845. That newspaper is not to be found even in the Library of Congress, and most American historians could perhaps find this document most easily by going to the Public Record Office in London ("Texas", vol. XIV.). On the other hand, Henderson to Hunt, December 31, 1836, is here given (p. 161) without mention of the fact that it was printed in Texas in 1845. As the editor states, it was not practicable to make the file of correspondence quite complete, and that is of course to be regretted. It would have been well, had it been feasible, to institute a wide search for the missing documents. Collinsworth and Grayson's propositions for the annexation of Texas, addressed to the American government on July 16 [14], 1836, might, for instance, have been found among the Jackson papers. Mis-spelled words are in some cases followed with "[sic]" and in other cases are not, so that in quoting a passage containing one of the latter an author would be a little in doubt how to write it; and one notes that W. D. Jones, American consul at Mexico, appears (p. 213) as M. D. Jones. In a work of such magnitude and difficulty a few slips are of course inevitable.

JUSTIN H. SMITH.

Virginia's Attitude toward Slavery and Secession. By BEVERLEY B. MUNFORD. (New York and London: Longmans, Green, and Company. 1909. Pp. xiii, 329.)

MR. MUNFORD has endeavored to show just why Virginia cast her lot with the Lower South in 1861 rather than remain in the Union and escape the awful devastation which surely awaited her if she took up the Southern cause. In part I. he states his case; in part II. he endeavors to prove that Virginia did not secede in order to extend or even

save slavery as an institution; in part III. he shows that the motive was certainly not a wanton desire to destroy the Union; and by process of elimination he comes in part IV. to his thesis, which is that Virginia was forced out by the attitude of President Lincoln and his administration; in short the proclamation of April 15 was the compelling motive.

In the different sections the author draws upon the better known sources of American and Virginia history, quoting freely from the writings of the "Fathers" to prove that the best thought of Virginia was against slavery from the beginning. There could be no difficulty in showing that Washington, Jefferson, and the rest all hated the institution and strove manfully to abolish it. To show also that the second generation of Virginians was equally solicitous to check the ravages of the slave-system might also be possible; but to go on to the eve of the Civil War contending that nobody of influence and power in the Old Dominion favored slavery shows a lack of knowledge of the subject or the field which is a little disparaging to the author's claims. Yet this is just what Mr. Munford attempts to do.

The slave-trade and the status of the free negro are discussed with the result that there was, in the opinion of the author, no breeding of slaves for the Southern market; and the free negro was almost an impossibility both in the South and the North, while to send all the slaves away to Africa was economically almost out of the question. Time wore on and brought the crisis of 1861 and when the national government endeavored to enforce its authority at the point of the bayonet Virginia independently of the whole slavery trouble cast her lot with the party, the Lower South, whose rights were being trampled upon. This is the story. It is calmly and confidently told; but many important facts and conditions are omitted entirely.

First of all, Virginia was a divided camp from 1760, the western counties being hostile to the eastern and hostile likewise to slavery. The constitution of 1776, contrary to the wishes of Jefferson and others, recognized slavery by so distributing power in the legislature as to secure to the East—a minority of the population—permanent control of the lawmaking power of the state. The populous West endeavored in 1829–1830 and again in 1850 to break the hold of the East upon the community. The East, now fully in the hands of a comparatively small group of slaveholding monopolists, withheld all attack and actually strengthened her power with the passing decades. This arrangement was denounced by Jefferson and many others who foresaw the natural consequence to the state but without avail. There is no reference in the volume before us to these conditions and yet they are vital to the story.

Nor does Mr. Munford so much as mention, in his discussion of the charge that Virginia was a slave-breeding state, Governor William B. Giles's published statement (in his book dated 1829) that 6000 slaves were exported from Richmond and Norfolk each year; and he ignores the active and effective propaganda of Thomas R. Dew (after 1832) in defense of the business of raising negroes for the Lower South.

This is not saying that the author is wrong in his contentions, but that he has overlooked some very important matters and failed to explain the attitude of men, who, like H. A. Wise in 1855, promised their hearers that negroes would sell for \$5000 each if Kansas were made a slave state—men who were very popular in Virginia then and whose memories are still green throughout the South. The book is too much of a defense to be final or convincing.

WILLIAM E. DODD.

John Brown. By W. E. BURGHARDT DU BOIS, Ph.D., Professor of Sociology, Atlanta University. [American Crisis Biographies.] (Philadelphia: George W. Jacobs and Company. 1909. Pp. 406.)

A NEW and shorter "Life of John Brown" which emphasized the deeds of its hero without dwelling too much upon the great cause has been needed, and this work from an eminent negro educator fills this want to some extent. Hitherto it has been impossible to treat the leader of the raid on Harper's Ferry except as a saint doing God's work or as the vilest of criminals. Victor Hugo compared him to Jesus of Nazareth while Carlyle accounted him only a mischief-maker; Robert E. Lee characteristically passed judgment upon him as "Captain John Brown". Of course Professor Du Bois could not be expected to speak as any of these—a negro judging the most ardent friend of his race. Devotion to the subject of his investigation, hero-worship, perhaps sensationalism, are the terms which most aptly describe the style of this new Life. This may be seen in the chapter headings: the Vision of the Damned, the Swamp of the Swan, the Black Phalanx, the Great Black Way, etc. In addition, each chapter begins with a quotation from the Bible, some of which run: "Remember them that are in bonds as bound with them", "And his fellow answered and said, This is nothing else save the sword of Gideon the son of Joash, a man of Israel."

Aside from this enthusiastic approval, there is much that commends the book. It is an abbreviation of Sanborn's rather tedious work and it presents the facts of Brown's career though in a loose and unconvincing manner. A considerable part of the total space is devoted to the development of the man, his restless roving from place to place, seeking apparently some sudden turn of fortune which should reveal him to the eyes of the world. The Kansas tangle and the bloody work at Osawatomie are treated fairly well. But the main theme is of course Harper's Ferry which is seen simply as the work of God in human hands, as the first battle of the righteous North against the wicked South.

One is surprised, however, to find the author of *The Suppression of the African Slave Trade* stating (p. 84) that the runaway slaves of Georgia founded a state in Florida to overthrow which cost the United States \$20,000,000, or (p. 85) that Toussaint had given Louisiana to

America (the United States). And it is amusing to note with what emphasis Professor Du Bois relates (p. 246) that a certain negro leader was presented to Emperor Faustin I. of Haiti! These and other similar passages indicate a biased judgment which causes the reader to doubt the value of certain statements about the unfair decisions of the judge who tried Brown, or of the assertion that the South was determined that "no American of Negro blood shall ever come into the full freedom of modern culture."

However, the book is worth while; it is a brief if somewhat inaccurate story of John Brown and his work; it gives to the old Puritan a background and social environment which one likes to have in convenient form; and the account is well written, which cannot be said of all our historical works. Finally, one likes also to know what an eminent and representative negro thinks of the man who so willingly and persistently gave his life to the great cause of emancipation.

WILLIAM E. DODD.

The Correspondence of Jonathan Worth. Collected and Edited by J. G. DE ROULHAC HAMILTON, Ph.D., Alumni Professor of History in the University of North Carolina. In two volumes. [Publications of the North Carolina Historical Commission.] (Raleigh: Edwards and Broughton Printing Company. 1909. Pp. 1313.)

JONATHAN WORTH, who was destined to be an important official in North Carolina during the Civil War and in Reconstruction, was born in Guilford County, a part of that Quaker community which stoutly opposed Secession and made itself a centre of resistance to the Democratic party both before and after the war. He was several times elected to the legislature before the war, in 1862 he was elected state treasurer, and in 1865 he became governor of the state, holding the position until the end of 1868. His letters are very numerous in this important period. They also deal with the political conditions in North Carolina in the decade before the Civil War. In politics Worth was a Whig, always opposed to the extreme Democracy, and going into the Know-Nothing organization when the cause of the Whigs seemed lost. He opposed Secession until it was a reality, and then preferred to serve the new government in a civil rather than a military capacity. He lived at the state capital from his assumption of the office of treasurer until the end of his governorship, a period of six years, and during this time had the best opportunity to know the inside phases of the state's business. His letters—there are more than nine hundred in these years—are marked by a lack of reserve and a directness of utterance which make them both pleasant reading and valuable historical sources. There are also two hundred and fifty letters written by important personages to Worth or to other men during this period. Altogether it is a most valuable contribution to the documentary history of the South.

Worth is especially interesting from his connection with the Peace movement in North Carolina. He supported Holden in the movement which in 1863 returned five Peace men to the Confederate Congress, and which in the following year caused apprehension that it might carry the state and take it out of the Confederate control. He declared in his correspondence that the old union would be better than two separate governments, but he thought that a vast free negro population would make a "country unfit to live in". Although a supporter of Holden he was by temperament less radical and went against him in 1865, when Holden was trying to guide the state through the first months of President Johnson's reconstruction. He was accepted as the opposition candidate and carried the autumn election. As governor for two years it devolved on him to recommend many pardons and to be a mediator between the state and the Washington authorities. His correspondence at this time is exceedingly interesting.

Governor Worth's letters are the most important collection of documents published in North Carolina since the completion of the large but still unindexed *Colonial and State Records*. They have found a good editor in Professor Hamilton, and it would be a neglect of duty not to commend the good judgment of the North Carolina Historical Commission who in this worthy work continue the service to history which was so eminently shown in their publication of Professor Coon's *Documentary History of Public Education in North Carolina*.

JOHN SPENCER BASSETT.

A Political History of the State of New York. By DEALVA STANWOOD ALEXANDER, A.M., LL.D. Volume III., 1861-1882. (New York: Henry Holt and Company. 1909. Pp. iv, 561.)

THE political history of the Empire State has seldom lacked life, color, and dramatic interest. The singular prominence of the City and the easily fluctuating majorities in the state have naturally concentrated attention upon New York politicians and their doings. Of this public regard they have not been unmindful. And so it has happened that, while the political history of the state has not been free from the battles of the office-hunting kites and crows, there has always been much striving of a nobler sort, and New York political leaders have readily transferred their parts to the larger national arena. In the last forty-five years the Democratic party, the party of opposition, has nominated for the presidency only two men who were not New York leaders, and the Republican party has given second place on its national ticket to a New York candidate in six out of eleven elections. Probably the most exciting episodes in the whole story lie within the two decades that form the horizons of Representative Alexander's third volume.

During the Civil War there was no other statesman anywhere in the North, faithful to the traditions of the Democratic party, who could

compare in ability and character with Horatio Seymour. He alone maintained the succession of Van Buren, Marcy, and Wright, and transmitted it to his loyal follower, Tilden, the last heir of the old Democratic Bourbon régime.

Seymour was the only Democratic leader in whom Lincoln's sagacious eye discerned the possibility of successful leadership. He said to Weed, "Governor Seymour has greater power just now for good than any other man in the country. He can wheel the Democratic party into line, put down rebellion, and preserve the government. Tell him for me that if he will render this service for his country, I shall cheerfully make way for him as my successor."

Within the Republican party the radical antagonism to the more cautious policies of Lincoln and Seward found its most vigorous and influential advocate in the editor of that party oracle, *The Tribune*. The deep lying differences between Greeley and Weed, and the left and right wings of Republicanism which they respectively commanded, differences which, despite superficial similarities, were real differences of ideals, nourished that furious ambition which finally brought Greeley to the presidential campaign of 1872, and to his grave. The rage of the factional contest over Johnson's policies had already extinguished Greeley's old enemy, Seward. When in 1868 Andrew D. White and Ezra Cornell were arranging a programme for the annual commencement of Cornell University, President White suggested that Secretary Seward be invited to deliver the address. Mr. Cornell replied, "Perhaps you are right, but if you call him you will show to our students the deadliest man that ain't buried in the State of New York."

Even more absorbing, though better known, is the tale of the rise of Tweed's Tammany to power within the Democracy, to the day when Tweed named the city government, controlled judges, made John T. Hoffman governor by fraud, bought a legislative majority, and owned Democratic state conventions. Then follows the story of the struggles out of which gradually emerged the subtle Tilden, as the conservative champion of reform and the foe of Tammany Hall. Here is revealed Tilden the opportunist, the willing co-laborer with Tweed until after the latter's thefts were exposed, the enemy of the Canal Ring after other men had made it notorious, the promoter of economies which others had made possible, the advocate of reform who was besmirched by the "cipher" disclosures, a shrewd adviser but a hesitant and time-serving politician. This chapter of New York Democratic politics culminates at Washington in the most uncertain presidential election the nation ever knew, and, later, at home in the fierce revenges of Kelly and Tammany upon Tilden and his friends.

Side by side with this Democratic rivalry runs what was afterwards known as the Stalwart-Halfbreed feud in the Republican party, with the mantles of Seward and Weed falling upon Conkling, and those of Greeley and Fenton upon the friends of Blaine. These two decades

saw the rise and fall of Conkling, a masterful leader, a man of colossal egotism, violent temper, and magnificent energy. That chapter of New York Republican politics culminates also at Washington with the resignation and subsequent final downfall of Conkling, the murder of Garfield, and the wreck of his administration.

Mr. Alexander describes at length the concluding events in the political career of Roscoe Conkling. Of the circumstances attending the nomination of Chester A. Arthur, he gives what is evidently the version of General Stewart L. Woodford, and it will undoubtedly win acceptance.

Our author gives Senator Depew's account of the first election of Thomas C. Platt to the Senate in 1881, as the compromise candidate of the friends of Governor Cornell and the Independents.

Gentlemen who supported Thomas C. Platt in order to split the machine were indeed deceived. Mr. Alexander accepts apparently without question Mr. Platt's recent assertion that the dramatic resignation of the two senators and their appeal to the New York legislature was his policy in which Conkling meekly followed him. It may be true, but it needs other confirmation than the unsupported word of this veteran hero of intrigues. Such a tale comports with no known quality of Roscoe Conkling.

The author is always generous in his treatment of Platt. Nevertheless his tendency to amiability does not lead him to try to hide the insidious working of the "spoils" poison in party management, the worst curse of all our local politics. His narrative does justice to the defects as well as to the strength of Conkling, who might be called the heroic figure of the volume.

It is evident that Mr. Alexander has written this book with enjoyment. It is pleasant to note the easy narrative and intimate touch of the eye-witness and personal acquaintance. The story is well told and is nowhere dull. Nor can the story be found elsewhere within a single pair of covers. The rise and fall of the Tweed gang and the history of Tammany Hall have been variously described, but the bulk of this subject must be searched out in archives, memoirs, letters, reminiscences, and newspaper-files. It would not be just to say that the author has mastered all these available sources, or even the major part of them. He has used the files of three or four New York City journals, but there is little perception of newspaper influence or even of political activity anywhere outside of the metropolis and the state capital. Even such a metropolitan editor and political force as Charles A. Dana is not mentioned often enough to give him a place in the index. The local political organizations outside of New York City are virtually ignored. The reader of this volume would scarcely suspect the existence of political centres in Buffalo, Rochester, Syracuse, Troy, or even in Brooklyn. The semi-obscure influences that, like the Canal Ring, controlled political actions, come into Mr. Alexander's lime-light only if they strongly affected men and issues of national importance. The result is that we

have a brilliant review of party conventions and of local and national election-periods throughout twenty-one years, while the intervals are occupied by brief interesting analyses of a multitude of leaders, Morgan, Depew, Seymour, Fenton, Tweed, Hoffman, Greeley, Tilden, Folger, Conkling, Cornell, Platt, Curtis, Hill, Arthur, Manning, and many others. There is a good index which covers the three volumes thus far published. A few evidences of hasty proof-reading appear. Judge Charles J. Folger is introduced in the text as "Charles A." and the index makes him "Charles G." Also throughout the volume the Havemeyers are called "Havermeyer".

Diplomatic Memoirs. By JOHN W. FOSTER. In two volumes.
(Boston and New York: Houghton Mifflin Company. 1909.
Pp. 333; 339.)

COMPLAINT is often made that under the usages of our government there is no prolonged diplomatic career open even to a man by nature thoroughly fitted for it. If that is the rule, a striking exception to it is furnished by these *Memoirs*.

Mr. Foster, bred a lawyer, served as an officer with Indiana troops through the Civil War. In 1872 he was appointed, though not at his own request but at the instance of Senator Morton, minister to Mexico, where he served seven years. He represented us twice in Russia, once as minister and once as ambassador extraordinary on a special mission, and twice in Spain. He was afterwards offered by President McKinley first the mission to Turkey and then that to Spain, but declined both offers.

Moreover, he was Secretary of State in the last months of Harrison's administration. Prior to that he was employed by Secretary Blaine during his illness to assist in the reciprocity negotiations with foreign powers under the McKinley tariff.

He was the agent of our government in the Bering Sea Arbitration and in the Alaskan Boundary Arbitration and prepared the case to be submitted to each of the international tribunals. He was a member of the Anglo-American commission which attempted in 1898-1899 to settle the difficulties between us and Canada. He took an active part in securing the annexation of Hawaii.

He was called to Japan to aid Li Hung Chang in negotiating the treaty which closed the war between China and Japan in 1895. He was also appointed to represent China at the First Hague Conference.

Mr. Foster's residence in Mexico covered the period of Lerdo's presidency and the triumph by force of arms of Diaz. He says "During my seven years' residence in Mexico I often visited the polling places on election days, but I never saw a citizen deposit a ballot and rarely did I find any person at the polls besides the election officers." He was in St. Petersburg at the time of the assassination of Alexander II. and in Spain in the troublous times of Alfonso XII.

He had therefore ample materials for graphic pictures of life at foreign courts. He is especially happy in his sketches of the statesmen whom he met. Among them were in Mexico Lerdo and Diaz; in Russia Gortschakoff, De Giers, DeWitte, Ignatieff, Dufferin, Nigra, von Schweinitz; in Spain, Cánovas, Castelar, Sagasta, Rampolla; in Japan, Ito; in the Bering Sea Arbitration, Sir Charles Russell, Sir Richard Webster, now Baron Alverstone, Baron de Courcel, and Marquis Visconti Venosta. Equally felicitous are his chapters on the presidents and secretaries of state whom he has known.

While practising his profession in the intervals of diplomatic service, he was engaged in the trial of cases of international controversy. He has for years been the counsel of the Mexican government and of the Chinese government in their relations with this nation.

In reviewing his diplomatic work, one may say that he showed great tact in maintaining cordial relations with Mexico, especially in the revolutionary disturbances in that state, and in the embarrassments caused by the reluctance of our government to recognize Diaz. In Russia his chief business, like that of most of our ministers in recent years, seems to have been in securing facilities for American Jews to travel in the empire. In Spain he succeeded after the usual delays in that country in negotiating a reciprocal treaty with Cuba. But owing to the election of Mr. Cleveland the treaty was not ratified. That fate is an illustration of the peril to which any treaty is exposed which is negotiated at the close of one administration, when an administration of the opposing party is just coming into power.

One of the most interesting chapters in the *Memoirs* is that which sets forth the obstacles to our success in the Bering Sea Arbitration. It proved that the translation of the Alaskan archives, which were relied on to sustain our claim that Russia had exercised authority over the Bering Sea as a *mare clausum*, was padded with forgeries by the Russian translator, and that argument had to be abandoned with a certain mortification. During the trial Russia and England made an agreement about the seals which greatly weakened our contention, although we had reason to suppose that Russia was to support us. Our argument that we had a right to the seals bred on our soil in the Pribyloff Islands, even when the seals were more than three miles from shore, did not commend itself to the European judges. Mr. Foster thinks our claim on this ground was not pressed with sufficient energy. It is, however, well known that many Americans did not from the outset think that Mr. Blaine's claims were well founded. We lost the case. Mr. Foster says he has since learned on authority, which apparently he credits, that all the early procedures in seizing and condemning the Canadian sealers were had without the authority of high executive officials and were instigated and directed by agents and attorneys of the American Sealing Company. If so, it was a great disgrace to all concerned.

The most important of all Mr. Foster's diplomatic achievements is his

co-operation with Li Hung Chang in negotiating the treaty of peace between Japan and China after the war in which Japan had been completely victorious. It required courage to enter upon this undertaking. The Chinese had thrown needless obstacles in the way by first sending negotiators of too low rank and bearing unsatisfactory credentials. The Japanese would not treat with them. Even the great Li could expect nothing but humiliating terms which promised official disgrace to him. A murderous attack on him by a half-crazy man, though it depressed his spirits, probably made the task of settlement easier. The description of the negotiations under these circumstances is perhaps the most thrilling passage in the *Memoirs*. It fell to the American to rally and sustain the spirits of the wounded Chinaman, to induce the Japanese to modify their first demands, and after the completion of the treaty to go before the Chinese authorities at Peking and persuade them that the wise thing was to advise the emperor to ratify the treaty, although the Russian, German, and French ministers were advising to the contrary. He also accompanied the son of Li to Formosa to aid him in the face of some danger in transferring that island to Japan. This he did in the most skillful manner. It is true that European powers soon compelled Japan to restore the Liaotung Peninsula to China. But it was quite unknown to the negotiators when they signed the treaty that such a rent in it was soon to be made by Europeans. No greater service has been rendered to China by any Western diplomat than this which Mr. Foster rendered in assisting in the negotiation of the treaty of Shimonoseki.

Historia de Nuevo León con Noticias sobre Coahuila, Téjas y Nuevo México. Por el Capitan ALONSO DE LEÓN, un Autor Anónimo, y el General FERNANDO SÁNCHEZ DE ZAMORA. [Documentos Inéditos ó muy Raros para la Historia de México, edited by GENARO GARCÍA. Tomo XXV.] (Mexico: Bouret. 1909. Pp. 403.)

To students of early Spanish activities on the hither side of the lower Rio Grande this book is of rare interest, for it contains something that they have been hoping might appear. Nearly a century ago the bibliographer, Beristáin de Sousa, mentioned a manuscript history of Nuevo León by Alonso de León which he had seen in the library of the Royal University of Mexico. This work long ago disappeared from public view (see José Eleuterio González, *Colección de Noticias para la Historia del Estado de Nuevo León*, Monterrey, 1885, p. 7), but is now fortunately brought to light by Señor García, who secured it from Canon D. Vicente de P. Andrade. The existence in a private library of this important document, formerly the property of a public archive, is only a single illustration of a practice which was once all too common in Mexico. But it is fortunate that it finally fell into the hands of so appreciative a scholar as Canon Andrade.

The work proves to be even of more value than had been suspected. The first half of it, entitled "Relación y Discursos del Descubrimiento, Población y Pacificación de este Nuevo Reino de Nuevo León", is by Captain Alonso de León of Cadereyta, whom Beristáin mistook for Alonso de León his son, the destroyer of La Salle's fort on Matagorda Bay and the *conquistador* of Texas. The author was a prominent citizen of Nuevo León, where he resided most of the time from 1636 till his death in 1661. His narrative brings the history of his province down to 1649, in an account occupying 188 pages, and is a welcome contribution to the history of the evolution of the northern frontier of Mexico, a process which we must understand in order to interpret aright the early history of the region on our side of the Rio Grande. The extensive information which De León gives relative to the native tribes will be especially welcome to ethnologists. In this connection it may be noted that the archives of the Ayuntamiento of Monterrey, Nuevo León, afford one of the best opportunities available for the study of the *encomienda* system in actual operation in a frontier province. For such a study De León's work will prove a valuable help.

It is the second part of the history, however, that is of most interest to students of early Texas. This consists of a continuation of De León's *Relación*, by an anonymous author, from 1650 to 1690 inclusive, and toward the end broadens in scope to embrace the history of Coahuila and Texas in that important period. It is dated at the end September 7, 1690, just after the expedition which established the first mission among the Hasinai or Texas Indians. Chapter xliii. is a reproduction of an account by Fernando Sánchez de Zamora of the discovery and settlement of Rio Blanco. The author of the continuation was someone who had been very close to the elder De León. He had access to official documents and used them with intelligence. His account greatly supplements what we have known of the younger De León's early life and of his *entradas* into Texas, in one of which at least (that of 1689), the writer took an intimate part. Indeed, if it were not for certain circumstances mentioned in the book, one would suspect that the author was the *conquistador* himself.

We have hitherto lacked definite information relative to the expedition made in 1686 in search of La Salle's establishment on the Gulf coast, but we are now given De León's complete diary of it, which shows that Father Massanet, our main authority heretofore, was incorrect in saying that this expedition crossed the Rio Grande (see his letter in the *Quarterly* of the Texas State Historical Association, II. 282). We now have access to four diaries kept by De León of his expeditions made during his search for the La Salle party and the occupation of Texas, only one of which was used in the preparation of what has been the standard account of De León's work. This but illustrates how rapidly the bibliography of early Southwestern history has grown within the last few years. We still have no diary for the expedition of 1687,

but our anonymous author gives us some additional light upon it. He also increases our knowledge of the details of the *entradas* of 1689 and 1690, and in the presence of this account it will now be necessary to examine again the sources formerly available. Just what the extent and importance of the new information may prove to be must be determined by a more careful study than can be made for the purposes of this review. Not the least interesting items in the narrative, however, are the rough map of the French settlement at Fort Saint Louis, the letter received by De León from L'Archevêque in 1689, and the poetical effusion—perhaps the oldest extant piece of verse written on Texas soil—composed at the same time by one of the Spaniards on the "Sítio funesto y triste" (pp. 330-336). The De León diary of 1690, which constitutes the last twelve folios of his manuscript, Señor García did not publish. Investigation recently made by the reviewer shows that it contains the paragraphs which are lacking from the copy in the Archivo General y Público.

Señor García prints the manuscript with the primitive spelling of the original (with editorial emendations in parentheses) but with modern accentuation. The brief introduction is very helpful, as are also the notes explaining words of Aztec origin. The title of the book, which is one affixed by the editor to the work of joint authorship, promises the reader notices of New Mexico, but these seem to be very few. Since the anonymous part of the work, which incorporates Zamora's account, is professedly a continuation of De León's *Relación*, it would have been better, in the reviewer's opinion, to give the title of that work to the whole book.

HERBERT E. BOLTON.

MINOR NOTICES

Greek Lands and Letters. By Francis Greenleaf Allinson, Professor of Classical Philology in Brown University, and Anne C. E. Allinson. (Boston and New York, Houghton Mifflin Company, 1909, pp. xvi, 472.) This book aims "to interpret Greek lands by literature, and Greek literature by local associations and the physical environment". The authors have a wide acquaintance with Greek literature and a keen appreciation of the charm of Greek lands. One cannot help wishing that their discretion equalled their enthusiasm. They try to crowd into less than five hundred pages most of Greek literature, some history, philosophy, and art, and much topographical detail. The effect is bewildering and far from that Greek sense of proportion and clearness of outline which is essential to a well-constructed piece of work. The authors have not cared to select; they often include too much for the Hellenist and too little for the ordinary reader. The Thucydides mentioned as an opponent of Pericles (p. 101) would ordinarily be mistaken for the historian. Iambe's share in the Eleusinian rites (p. 184) is also caviar to the general. Two pages are devoted

to obscure poets of Argolis while two hundred years of history and philosophy are crowded into half a dozen.

It may be captious to insist too strictly upon historical methods, but a glaring defect is the failure to give references, with little exception but that of classical quotations. Inscriptions and "modern writers" are frequently cited without further explanation.

The original part consists chiefly in translations of Greek authors. Some are very attractive, others are no improvement on already existing versions. An unfortunate rendering of *Oedipus Tyrannus* (ll. 1186 ff.) concludes

"And from it my opinion moulding
Naught mortal I congratulate."

For the deplorable habit of "modifying" versions no excuse can be found. Translators who have been thus treated may well feel indignant.

The style is charming and graceful, at its best in descriptions of scenery. Vivid pictures of lovely spots are recalled to us constantly. Sometimes a certain affectation obscures the meaning, or words are strangely used: "*the folly*" of Oedipus; Heracles searching for "rare fauna, flora and other exhibits". The flippant characterization of Hippolytus as "a somewhat intractable compound of a Jehu and a Joseph, wholly absorbed in colourless devotion to Artemis" and "an excellent whip" is hard to forgive.

In spite of defects, the book is stimulating and suggestive to those who care for things Hellenic, and the traveller in Greece will be grateful to the authors for having put into one convenient volume a mass of material hitherto accessible only in many. The illustrations are attractive and well-chosen.

A Formula Book of English Official Historical Documents. Part II. Ministerial and Judicial Records, selected and transcribed by a Seminar of the London School of Economics. Edited by Hubert Hall, F.S.A., of H. M. Public Record Office. (Cambridge, University Press, 1909, pp. x, 229.) In accordance with the arrangement followed in his *Studies in English Official Historical Documents* (see this REVIEW, XIV. 558-560), the second part of Mr. Hall's *Formula Book* is classified under (1) ministerial proceedings, including royal surveys, inquisitions, assessments, and accounts, and (2) judicial proceedings, comprising political, or statutory, and judicial inquisitions. Materials of this sort did not find a place in the works of the older writers on diplomatics, who limited themselves to charters and similar documents and were interested primarily in questions of authenticity; but in recent years a beginning has been made in the direction of a broader treatment which seeks to place official acts in their proper setting as part of administrative processes which must be studied as a whole if the real nature of the surviving record is to be understood. The exceptional richness of the English archives offers an excellent field for the application

of the newer methods, and Mr. Hall has rendered a real service to historical science in submitting to diplomatic examination a body of sources of such signal importance to the student of legal, agrarian, and constitutional history. Some of the documents here given have already been analyzed and subjected to a genetic treatment, as in Mr. Round's classic studies on the satellites of Domesday and the *cartae* of 1166, in Miss Putnam's investigations of the enforcement of the Statutes of Laborers, and in Mr. Hall's own editions of Exchequer texts; but most of the specimens are drawn from the Public Record Office and are here printed for the first time. Continental prototypes are illustrated by extracts from the capitulary *De villis* and the inventories of Charlemagne's estates (for both of which the later edition of Boretius should have been used) and by the Bayeux inquest of 1133, where the evidence for the connection and common date of the documents is stronger and more definite than Mr. Hall implies. The "Winton Book" (no. 19) should also have been more exactly dated. Curiously enough, Mr. Hall gives the impression that the extract given from the receipt roll of the Exchequer of 1185 (no. 52b) is unpublished, whereas it has been edited by himself.

CHARLES H. HASKINS.

The Interdict: its History and its Operation, with Especial Attention to the Time of Pope Innocent III., 1198-1216. By Edward B. Krehbiel, Ph.D., Instructor in the University of Chicago. (Washington, Published by the American Historical Association, 1909, pp. viii, 184.) To this essay the American Historical Association awarded one-half of the Herbert Baxter Adams Prize for 1907. After such recognition it would be a work of supererogation to praise it.

The study is divided into two parts of about equal length: four chapters on the Actual Use and Effects of the Interdict, and an appendix of cases from 1198-1216. Of these, the second is far the more valuable. Over ninety "threats of interdict, possible cases, and actual cases of interdict" are given; about sixty are described more or less fully in the appendix. Unfortunately, many of these were partially discussed in the preceding chapters, and there are no cross-references, so that it is difficult to get together all the material for each one. For about one-third of the cases, Dr. Krehbiel gives no statement of the facts. His explanation is that "Whenever the sources furnish sufficiently interesting material, the case was narrated." Students will regret that he did not give as full information as possible instead of forcing them to supplement his study.

In the introductory chapters, the author discusses mainly the local general interdict; in a note on page 2, he mentions other cases, but does not employ exactly the terminology generally used by canonists. His method of treatment is indicated by the chapter-headings: the Origin and Theory of the Local Interdict, the Laying of an Interdict, the

Interdict in Force, Moderation and Relation of the Interdict. This method was undoubtedly selected because of its fitness for the special study of the pontificate of Innocent III. It is a question, however, whether, in the presentation of the history of an institution, the order of its evolution is not the most advisable. The author's plan sometimes leads to chronological confusion, e. g., on page 50 events of the sixth and fourteenth centuries are brought together in the same sentence with no indication of their respective dates.

The reasons are not clear for the inclusion or exclusion of titles in the bibliography. It is not a list of works cited; there are omissions of books used in the preceding chapters; many works in the bibliography are not cited elsewhere. Why should the *Acta Sanctorum* be cited with a comment "not especially valuable for the present research"? For the *Corpus* no edition is given. The author cites and uses antiquated editions, e. g., Labbe for the *Gesta Pontificum Autissiodorensium*, although Molinier warns against Labbe's edition of it as *mauvaise*. Lea's *Studies in Church History*, with its admirable although brief account of the Interdict, is omitted. The bibliography as a whole is not a satisfactory guide for the subject.

This is the first general presentation of the subject in English, and will prove useful. In the author's modest words, "to the history of the interdict, its fresh contribution is only a sifting and use of the materials for the time of Pope Innocent III." For this period he has discovered a large number of interdicts. Through his monograph and the sources which he cites, it is possible to gain a more complete understanding of the history of the Interdict in the period when it was being rapidly developed and the difficulties inherent in its use were becoming constantly more apparent.

DANA C. MUNRO.

La Question Franciscaine: Vita Sancti Francisci Anonyma Bruxellensis, d'après le Manuscrit II, 2326 de la Bibliothèque Royale de Belgique. Par A. Fierens, Docteur en Philosophie et Lettres, Attaché à l'Institut Historique Belge de Rome. (Louvain, Charles Peeters, 1909, pp. 122.) No one who has followed the trend of the various works relating to the life of St. Francis of Assisi, which have formed such a marked feature of recent historical literature, need be told how large a portion of these works is concerned with purely documentary questions. The present study, which originally appeared in the *Revue d'Histoire Ecclésiastique* (vol. VIII., nos. 1, 2, 3; vol. IX., nos. 1, 4; vol. X., nos. 1, 2), deals with an anonymous biography of St. Francis found in MS. II. 2326 of the Royal Library of Belgium. This *Vita Sancti Francisci Anonyma Bruxellensis*, to which Dr. Fierens attaches much importance, contains twenty-four chapters, and was written about 1400. In its compilation the author, whoever he was, drew mainly upon the *Legenda Major* of St. Bonaventure, the *Vita Secunda* by Thomas of Celano, the

Legenda Trium Sociorum, the *Speculum Perfectionis*, the *Actus Beati Francisci*, and the *Tractatus* of Bartholi, and in parts his Life represents little more than excerpts from these earlier sources. It includes, however, at least two hitherto inedited passages, which are not without interest; the first is a series of eleven prophetic utterances of St. Francis about the future of Christianity (pp. 106-110) and the second is a parallel between Christ, Jacob, and the Seraphic Patriarch (pp. 111-113).

Dr. Fierens's judicious introductory essay on the Franciscan Question (pp. 3-26), his detailed description of the Brussels manuscript (pp. 27-28), and his critical edition of the *Vita Anonyma* (pp. 31-115), disclose a rare spirit of research and a wealth of erudition regarding the sources of the history of St. Francis with all their large literature. Indeed, neither the title of his work nor its appearance would prepare the reader for the rich mass of information condensed in its pages. It is somewhat of a disappointment that Dr. Fierens fails to deduce any general conclusions as a result of his study such as might have been expected. As it stands, the text he publishes, however interesting to the erudite, cannot be said to throw much new light upon the Franciscan Question as a whole or materially to affect the opinions held by scholars about the early manuscript biographies of St. Francis himself.

Tractatus Fr. Thomae vulgo dicti De Eccleston, de Adventu Fratrum Minorum in Angliam. Edidit notis et commentario illustravit Andrew G. Little, Lector in Palaeographia in Universitate Mancuniensi. [Collection d'Études et de Documents, tome VII.] (Paris, Fischbacher, 1909, pp. xxix, 227.) Students of Franciscan sources—and their number seems to grow apace—have long felt the need of a new edition of Eccleston which fulfilled the requirements of modern criticism. The present one was worth waiting for. It would have been difficult indeed to find anyone better fitted than Professor Little to undertake the task of re-editing the *De Adventu* for he is not only a veteran in the field of Franciscan studies but also a recognized authority on all that concerns the "Coming of the Friars" into England. This his latest and most important contribution to the literature of the subject is a work of seasoned scholarship and forms one of the very best volumes that have yet appeared in the *Collection d'Études et de Documents*. And this is no mean praise.

In his introduction, Professor Little describes the Lampert, Cotton, Phillipps, and York manuscripts—the only four known manuscripts of Eccleston (pp. ix-xix)—and the more or less defective editions of his Chronicle published respectively by Brewer (1858) and Howlett (1882) in the Rolls Series, by the Franciscan friars of Quaracchi in the *Analecta Franciscana* (tome I, 1885), and by Dr. Liebermann in the *Monumenta Germaniae* (1888). He then sums up (pp. xx-xxvi) all that may be known with certainty or conjectured with probability of

its author. It appears from his prologue that Thomas spent some twenty-six years gathering the materials for his Chronicle, which extends from the arrival of the first friars at Dover in 1224 up to about 1258, when it seems to have been completed. It is a collection of notes and anecdotes rather than a finished narrative, but it portrays with extraordinary vividness the way in which the Franciscan movement took shape in England and thus opens up what Professor Little rightly calls "one of the most popular and one of the most attractive by-paths in English history". In spite of its absence of dates and of anything like chronological order, and notwithstanding its tendency to extol the English Province above all others in the Minorite Order, Eccleston's chronicle *De Adventu* is very accurate and reliable in all that relates to what has been called the heroic period in the history of the English Franciscans. Incidentally it throws not a little light on the trend of early Franciscan events and thought in general. Herein lies its value.

Professor Little has edited the text of Eccleston's *De Adventu* (pp. 1-132) with extreme care and with fine historical insight; the copious annotations and commentary leave nothing to be desired. The volume is enhanced by several valuable and interesting appendixes, which include the abbreviated chronicle of Peregrinus of Bologna (pp. 141-145) and a sermon on Poverty by Robert Grosseteste (pp. 178-187), and it is provided with a very full index (pp. 189-226). It is a matter of regret if not also of some surprise that the introduction is not set in the same large type as the body of the book and the appendixes.

The author of *Grey Friars in Oxford* has made us again his debtors by giving us the present work which is sure to find the warm welcome it so richly deserves with all serious students of Franciscan origins and of medieval history in general.

Chartularium Studii Bononiensis: Documenti per la Storia dell'Università di Bologna dalle Origini fino al Secolo XV. Publicati per Opera della Commissione per la Storia dell'Università di Bologna. Volume I. (Bologna, presso la Commissione per la Storia dell'Università di Bologna, 1909, pp. xii, 431.) In the documentary publications of recent years respecting the early history of the great European universities the University of Bologna has not taken the place which corresponds to its importance in the history of European learning. The octo-centenary of 1888 did indeed bring forth editions of university and college statutes and of the records of the German nation, but it produced no collection of sources comparable to the great *Chartularium Universitatis Parisiensis*, and no general study of the university's history worthy to replace or complete the biographical work of Sarti. In 1907, however, a commission was established to advance the study of the history of the university, and the first-fruits of its labors have now appeared in the opening volumes of a series of *Studi e Memorie* and of a general *Chartularium*. The editors of the latter work, instead of

adopting a chronological arrangement which would have involved a complete examination of all possible sources of information before publication could have begun, decided to print the documents as they were collected, exhausting each repository and series as they went and unifying the whole by a set of indexes at the end. The materials in the first volume have been drawn from the two principal registers of the commune of Bologna, the first of which had already been extensively used by Savioli, the records of the *podestà's* court, and the monastic archives of San Giovanni Battista and San Giacomo. The texts cover the period from 1159 to 1499 and consist mainly of judicial documents, conveyances, wills, contracts, responses of jurisconsults, and similar matter. These naturally contain a good deal which illustrates legal ideas and procedure, but in the majority of cases they yield little for university history beyond biographical information respecting various masters and students, and as a whole the collection does not throw much new light on the organization of the *studium* or the daily life of its members. The most interesting series is that of the *processi e sentenze*, where, besides the usual enumeration of assaults in which knives and sticks fly freely, there are some curious examples of theft of students' property. One man has driven off his room-mate and appropriated his possessions to the extent of a garment of "stanforte", a towel, a knife, and a volume of Boethius; a scribe set to copy the New Digest has decamped with the book and copying materials and seventeen lire besides. Unfortunately such documents are merely analyzed; if we may judge from the similar ones printed some years ago by Cavazza, they contain local flavor which would justify their publication in full.

CHARLES H. HASKINS.

A Brief History of the Middle Temple. By C. E. A. Bedwell, Librarian to the Hon. Society of the Middle Temple. (London, Butterworth and Company, 1909, pp. 132.) This little book is not a systematic history of the Middle Temple, but rather a sketch of the important events connected with its origin and development. The chapter-headings are: the Origin of the Inns of Court, the Two Temples, America and the Middle Temple, the Restoration and After, the Middle Temple in the Eighteenth Century, the Middle Temple Library, Some Distinguished Members of the Middle Temple. Mr. Bedwell seems not to have used the society's manuscript records and deals for the most part with aspects other than educational. In this respect Mr. John Hutchison's account is better. It appears in the introduction to the printed records of the Middle Temple, which however extend only to 1703.

The chief reason why Americans should be interested in the Middle Temple and the other Inns of Court is because of the legal training received there, in part, by many of the most prominent lawyers and

leaders of the Revolutionary and Constitutional period. Mention is made of the four representatives from South Carolina who signed the Declaration of Independence, also John Dickinson, William Livingston, and John Rutledge. Among others who attended the Middle Temple, not mentioned by Mr. Bedwell, were Charles Carroll of Carrollton, Charles Cotesworth Pinckney, and Thomas Pinckney.

The education which these men obtained undoubtedly influenced the discussion of the legal aspects of the Revolutionary and Constitutional period. The Middle Temple, however, does not deserve all the credit that Mr. Bedwell seems to think it deserves. The system of legal education at the Inns of Court had so far declined by the middle of the eighteenth century that much, if not most, of the actual study and instruction was in the offices and under the direction of lawyers not directly connected with the Inns of Court.

The book supplies a real need and is the best brief account which has yet appeared.

M. W. JERNEGAN.

The Last Phase of the League in Provence, 1588-1598. By Maurice Wilkinson, M.A., St. John's College, Oxford. (New York, Longmans, Green, and Company, 1909, pp. vi, 84.) The author of this little work is already known for his researches in the history of the wars of religion in Périgord. The title is somewhat misleading. Instead of being a sustained study of what is implied, it is rather a collection of *documents inédits* knit together by an historical commentary. The documents have mostly been drawn from the archives in the prefecture at Marseilles, from the Palais de Justice at Aix in Provence, and from the Peiresc papers at Carpentras. In the early pages Mr. Wilkinson makes a slight endeavor to orient his reader, but the approach is so precipitate and the complexity of the subject so great that it seems doubtful if one not thoroughly acquainted with the earlier history of the Holy League would be able to follow things. The variant currents of League policy, the conflict of rival religions, feudal and national interests, the economic grievances of the province, the strife between the people of the towns and the rural democratic population—all these combine to make a play of forces that is intricate indeed. While there is good material in the book it has not been sufficiently digested. Better assimilation of the documents (most of which should have been relegated to an appendix) would have made the work clearer and more concise. There is no table of contents, the chapters are without title or characterization, and there is no index.

J. W. T.

Minutes of the General Assembly of the General Baptist Churches in England, with Kindred Records. Edited with Introduction and Notes for the Baptist Historical Society by W. T. Whitley, M.A., LL.D.,

F.R.Hist.S. Volume I., 1654-1728. (London, The Kingsgate Press, 1909, pp. lxxx, 152.) While this volume will be interesting chiefly to the members of the Baptist denomination, it contains some matter of value for the student of English religious history in general. The editor explains that "the title 'General Baptist' is used in three distinct senses at the present day": by the "hyper-calvinistic Baptists who adhere to the Confession of 1677, as revised in 1689 . . . to denote all baptists except themselves"; secondly, "as an abbreviation for the full legal title, 'the New Connection of General Baptists founded in 1770'"; and thirdly, to describe a body which traces its origin back to the reign of James I. and "still maintains a corporate existence under the title, 'The General Assembly of the General Baptist Churches in England'". The present work is concerned with members of the last-named body.

An introduction occupying nearly a third of the book describes their origin and early history, their beliefs, their organization, their geographical distribution, and the documents on which the text is based. It also includes a list of their messengers and leaders. The combination of Episcopal and Presbyterian features in their constitution is doubtless not commonly known; indeed, the editor informs us that the General Baptists drew their synodal system from the same root—the Continental Anabaptists. With another of his assertions, however, that "the General Baptists are an English outgrowth of the continental Anabaptists, acting on the Lollards" (p. ix), one is less likely to agree. No investigator has yet traced with any certainty the survival of Lollardy to the Reformation. A treatise by Murton in 1615 is cited as "apparently the first broad claim for religious liberty made by an Englishman" (p. xiv). In his attempt to show that the members of this sect had no "cant" Christian names and no great proportion from the Old Testament, Dr. Whitley omits to consider the faith of the parents who gave them (pp. xlvi-ix). Some slips are to be noted: by the act of 1664 (p. 22) four persons did not constitute an illegal conventicle, but five, besides members of the family where the meetings were held, and (p. 24) the two Declarations of Indulgence were issued by James II. in 1687 and 1688, not in 1686 and 1687. It is certainly a curious commentary on the contemporary religious situation when the following question could be brought before an assembly in 1711: "Whether a pastor who Contends for Dancing, Cock fighting with Many other Vices altho. being Moderately Used be a Sufficient Cause for the Church to Deprive him Communion" (p. 115).

A. L. C.

L'Église de Paris et la Révolution. Par P. Pisani, Chanoine de Notre-Dame de Paris, Docteur ès-Lettres, Professeur à l'Institut Catholique de Paris. Volume II., 1792-1796. (Paris, Alphonse Picard et Fils, 1909, pp. 424.) This second volume, following the other within a year, brings the religious history of the Revolution down to 1796. Like the

first it is a history of the Revolution in its relations to the Church, written by a priest who has his prepossessions, yet is a trained investigator and conscientious historian. While the position that he occupies obliges him perhaps to vent his feelings, these do not seem to alter his method nor weaken his authority.

To follow through those troublesome times the members of the two clergies who were then ministering to the religious needs of the French people, M. Pisani has deciphered the registers of jails, gone over the reports of government agents, ransacked the papers of the secret police, and used some still unpublished diaries and speeches of prominent revolutionists. One of his interesting contributions relates to the fact that the Constitutional priests suffered more from the Terror than the non-jurors. Assuming new names, practising unexpected professions, disguised as lawyers, national guards, workmen, street peddlers, the latter were identified only by the faithful few, thanks to special and secret signs. Thus they succeeded in tendering their services to a clandestine congregation including prisoners in the jails and victims on the way to the scaffold. The author has been able to identify one hundred and fifty of these secret priests, only nine of whom were guillotined. Twenty-one Constitutional priests, on the other hand, suffered the death penalty, a very small proportion, by the way, of the total list of victims.

It was mostly from the petty annoyances and persecutions from the foes of religion that the Constitutional clergy had to suffer. They bore the brunt of the battle against the Church. The story of this onslaught, beginning with the adoption of the new calendar in October, 1793, and ending in May, 1795, when the law of Prairial returned to the parishes their houses of worship, is well and graphically told. Here too we find interesting figures as to the number of priests who in imitation of their bishop, Gobel, abdicated their functions, henceforth useless in a "state governed by Reason". M. Pisani discovered that out of the five or six hundred priests of Paris two hundred and sixty-seven renounced their vows. That is a minimum for he could not examine all the lists. As for the married priests he finds one hundred and sixteen, three of whom, "he blushes to say", were canons of Notre Dame.

The last part of the book, dealing with the individual fate of the various churches of Paris, is of less interest to the general reader. The conclusion that the author brings out with an emphasis that the necessity of the ecclesiastical *imprimatur* more than explains, is the final crushing of the irregulars, while the Church came out of the storm almost unshaken. From 1791 to 1796 the number of the "jurors" passed from 600 to 150. Such was the punishment of their "fatuity" and their "challenge to God".

O. G.

Nouvelles Lettres du C^{te} Valentin Esterhazy à sa Femme, 1792-1795.
Publiées par Ernest Daudet. (Paris, Plon-Nourrit et Cie., 1909, pp. ii,

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393.) The first volume of Count Esterhazy's letters was disappointing in that it did not throw the light on the vexed questions relating to Marie Antoinette and her coterie of friends which the count's *Memoirs* had led scholars to expect. From the present correspondence less was expected. Esterhazy was no longer in the position of one who could reveal secret history.

The letters for 1792 were written from St. Petersburg, whither the count had been sent after Pillnitz as the agent of Artois. They are essentially domestic in tone but the broader interest is not lacking. There is enlightened comment on political and diplomatic events, entertaining gossip on the life at the Russian court, and some excellent passages on the palaces and gardens. Austria's unfavorable attitude toward the *émigrés* (p. 43 *et passim*), the more sympathetic policy at Berlin and St. Petersburg, the suppression of the reforms in Poland, the progress of the Revolution in Paris, and like topics appear constantly. At times the comments are penetrating, as for example his shrewd guess in the letter of ^{12 July}
_{30 June} as to the real significance of the presence of the "Confédérés" in Paris, or his survey of conditions early in October.

For 1793 and 1794 there are only a few letters, the events of the period being sketched by the editor on the basis of the count's *Journal*. For the two years following, 1795 and 1796, there is a group of thirty-three letters, some quite long, written from Russian Poland, where Catherine settled several dilapidated estates on him. These often afford interesting glimpses of the conditions in Poland, of the management of Polish estates, and of the Russian administration. By way of appendix there is a sketch of the author's mission to Russia, a study of Potemkin, and a superficial description of the Russia of the period.

On the whole the letters are entertaining—often good reading—but they contribute little that is original or new to our knowledge of the period. The author seems to have been a most devoted husband, very popular with princesses and children, but not gifted with the larger qualities of the real diplomatist.

WILLIAM E. LINGELBACH.

Dessous de Princesses et Maréchales d'Empire, d'après des Lettres Inédites, des Documents Nouveaux, les Journaux de Modes et les Témoignages des Contemporains. Par Hector Fleischmann. (Paris, Librairie des Annales Politiques et Littéraires, 1909, pp. 285.) The character of this work would raise the question, even did the author not pose it in his preface and repeat it *passim*, of its right to exist, and also of the place and purpose of *Kulturgeschichte*. As its title-page alleges, the book is thoroughly documented and contains an excellent selection of illustrations, but the material set forth, though largely new, adds scarcely anything to the general store of information supplied by Henri Bouchot's *La Toilette à la Cour de Napoléon, Chiffons et Politique de Grandes Dames (1810-1815)*, published in 1895, Alphonse Maze-Sencier's *Les*

Fournisseurs de Napoléon I^r et des deux Impératrices (1893), and other earlier volumes. Josephine, Hortense, Marie Louise, Julie Bonaparte, Queen of Naples and of Spain, the Duchesse d'Abrantès, and the fortuneteller Mlle. Le Normand are the chief persons who appear in the book.

There is, especially at the present day, an intense interest in the history of the masses, their condition, their struggles, and their progress from generation to generation. In like manner vast importance properly attaches from age to age to the activities of the successive groups of men who have formed the vanguard in human development, the philosophers, the scientists, the authors, the artists of many sorts—in brief, the masses' teachers. Manners and customs, fashions and amusements of former times, arouse an interest which is real though the facts are of only the slightest value for historical purposes. The story of court life may be of interest and of real value provided it deals with a normal order and a consecutive development. Thus, the court life of the Ancien Régime, even in the last evil days before the deluge of the Revolution, commands its place in history. One reluctantly concedes, however, any such proper place in historical studies to the parvenu court of a revolutionary empire which did not survive the first decade of its existence. Napoleon, his ministers, his marshals, his soldiers, achieved their niche in history's pantheon, but the world has found no reason, and Mr. Fleischmann reveals none, for remembering the princesses and the marshals' wives of the First Empire. Too many of them were destitute of ability and character, and some of them were woeful social misfits even in that parvenu society. In biological phrase they were sports and not types of the ruling class in France; and a study of them is of no more legitimate interest to the historian than a study of freaks is to the biologist. Concerning the frivolities and extravagances of these temporarily exalted female nonentities, M. Fleischmann with difficulty finds enough facts to butter thinly his very thick verbal slices.

GEORGE M. DUTCHER.

Giacomo Barzellotti's *Dal Rinascimento al Risorgimento* (Palermo, Remo Sandron, 1909, pp. xxviii, 493) is the second edition of an important volume of essays upon Italian character and history written with exceptional breadth of view and philosophical insight. The first edition, which was sold out shortly after its appearance five years ago, contained seven essays, of which one was a study of the religious views of the statesmen who made modern Italy; another was a study of the influence which the ideals and conditions of the Italian unification movement exerted upon the literature of the period; and two others, of which one was entitled, "Catholic Italy is it Christian or Pagan?", set forth with much force the writer's view that both the spiritual and the political traditions of Catholicism are the consequence and not the cause of the character of moral and civil life in Italy. These essays are all reprinted in the new edition, together with five which are new

and which give excellent appreciations of Giuseppe Mazzini, Pope Leo XIII., Ruggiero Bonghi, Giosuè Carducci, and Goethe's travels in Italy. The volume is a most valuable contribution to the study of psychological problems in the history of the Risorgimento of modern Italy.

Francis Joseph and his Times. By Sir Horace Rumbold, Bart., G.C.B., G.C.M.G. (New York, D. Appleton and Company, 1909, pp. x, 404.) Sir Horace Rumbold's latest work makes light and pleasant reading. It will not be out of place on any parlor table this winter, and we may wish it a good circulation in "the Booklovers Library". The first quarter of it is devoted to the history of Austria from the accession of Maria Theresa to that of Francis Joseph and consists of a sketch of the main events, enlivened by edifying comment and a number of not unpleasing anecdotes. When we come to the reign of Francis Joseph himself, though the detail is greater, the method is the same. The author has had the advantage of the personal acquaintance of some of the chief people he describes, and his tone, especially in speaking of the emperor, is one of generous appreciation. He does not even shrink now and then from a frank though mildly worded criticism. If he indulges in gossip, he can be trusted never to be indiscreet. On the whole, he would have done better to have confined himself closer still to personal matters, for his remarks on political questions are for the most part not profound. The book indeed can hardly be meant for the serious student, and such information as it offers the general public on the problems of Austria to-day is too superficial and one-sided to be of much value. But if Sir Horace betrays the natural prejudice of the retired diplomat writing about an aristocratic court where he was kindly received, he is always moderate and his narrative of events which is based, as he freely acknowledges, on such authorities as Friedjung and "that marvellous publication, 'The Letters of Queen Victoria'", is correct enough for a work of this kind.

ARCHIBALD CARY COOLIDGE.

Giovanni Cecconi's *Il 27 Aprile 1859* (Firenze, R. Bemporad and Figlio, 1909, pp. 103) is a reprint of an address delivered in Florence and published eighteen years ago. A few details of fact and a polemical preface have been added for the purpose of supporting the writer's defense of the discipline and incorruptibility of the Tuscan army, by whose defection the bloodless Tuscan revolution of April 27, 1859, was effected. Notwithstanding Cecconi's assertions the impartial historian will continue to believe that the ideals of Italian unity for some Tuscan officers were created with Piedmontese gold.

Lord Ii Naosuké and New Japan. Translated and adapted by Shunkichi Akimoto from *Ii Tairo to Kaiko* by Katsumaro Nakamura. (Tokyo, Printed at the *Japan Times*, 1909, pp. iv, 187.) This valu-

able summary of the life and times of Lord Ii, who concluded the first commercial treaties between Japan and foreign powers in 1858-1859, was prepared on the occasion of the fiftieth anniversary, celebrated in July, 1909, of the opening of Yokohama as a trading port as a result of the treaties. The author of the Japanese edition, Mr. Nakamura, is the son of a vassal of Ii and a special student of Japan's early foreign relations. His knowledge of his father's lord and his studies in the archives of the Foreign Office at Tokyo have been condensed into this little book, which may perhaps be regarded as an introduction to a larger work that is expected from his unusual attainments and his facile pen.

Without the Japanese edition at hand, it is difficult to judge from the present English adaptation exactly how much is Mr. Nakamura's original contribution to our knowledge of Ii. This subject has been treated in several Japanese works of merit, one of which, by Mr. Shimada, has been condensed in English into H. Satoh's *Agitated Japan* (Tokyo, 1895). The present work contains, among other matters original in English, an instructive account of the "Morrison" affair, a quotation from the diary of a vassal of Mito, and a particularly good interpretative view, supported by citations from his own words, of Ii's foreign policy before and after his accession to the position of the grand councillor to the Shogun.

On the other hand, it is obvious that Mr. Nakamura's Japanese work has suffered not a little through the English adaptation, which Mr. Akimoto confesses to have been done "in a great hurry". It abounds with such inaccurate statements as the author could not have tolerated and the translator would have avoided had they had the opportunity to revise the work together. We are told, for example, that Nobunaga was bent upon "extirpating Buddhism from the Empire"; that Masamune was "a Christian daimyo"; that Portuguese missionaries regularly brought in arms, engaged in commerce, and worked for the political aggrandizement of their country in Japan; and the like. There are the usual misstatements as to the annual income of a lord, and as to the clan. All these errors may be rectified in a new edition. Such brief but instructive descriptions of the tea ceremony (p. 66), of the arrangement of buildings around a castle (p. 89), and of the official organization at the Edo Castle (pp. 125-126), as are contained in the work, may well be multiplied to the great profit of the foreign reader.

K. ASAKAWA.

A Catalogue of the Publications of the Scottish Historical and Kindred Clubs and Societies, and of the volumes relative to Scottish History issued by His Majesty's Stationery Office, 1780-1908. With a Subject-Index. By Charles Sanford Terry, M.A., Burnett-Fletcher Professor of History in the University of Aberdeen. (Glasgow, James

MacLehose and Sons, 1909, pp. xii, 253.) This handsome and useful publication has been prepared with all the judgment and care which anyone familiar with Professor Terry's *Index to the Papers relating to Scotland* would naturally expect. It will be of inestimable value to students to have for the first time a complete and detailed catalogue of the material "contained, and not infrequently concealed in the volumes of Scottish Historical, Antiquarian, Archeological and kindred Clubs and Societies". Beginning with the earliest, founded in 1780, over fifty such organizations are included. While primarily concerned with Scotland their publications contain much of importance relating to England. The societies are arranged in alphabetical order, each accompanied by a brief explanatory head-note on the date of its founding, its aims, and, when it no longer exists, on the period of its duration. Wherever necessary the contents of a particular volume are described, and in the case of "Miscellanies" they are given in full. By a judicious use of varied type the task of the searcher is made as easy as possible. The subject-index appears to be beyond criticism. In a few instances where the significance of a society's name is not obvious perhaps a word of explanation might have been added; there are many, for example, who might not connect the Aungervyle Society with Richard de Bury. Also one wonders why the Roxburgh Club was omitted.

A. L. C.

Sir Henry Vane, Jr., Governor of Massachusetts and Friend of Roger Williams and Rhode Island. By Henry Melville King. (Providence, R. I., Preston and Rounds Company, 1909, pp. vii, 207.) Dr. King, the venerable pastor emeritus of the First Baptist Church of Providence, Rhode Island, selects here from the life of Vane the passages bearing upon his intimacy with Roger Williams, touching only cursorily upon the career in general of the great statesman of the English commonwealth. He may be pardoned for a glowing admiration of his illustrious predecessor, and for beholding little but wisdom and virtue in Roger Williams's noble friend. While we feel that there are spots even in such suns, we are glad of the portrayal and welcome the book as an account of a connection fruitful for good both to England and America. We have space to discuss only two points.

Dr. King thinks it wrong to regard John Cotton as in any way the preceptor of Vane in Massachusetts. Cotton could rather have learned from Vane. Vane's education was in a high degree irregular and desultory. As a headstrong boy he was for a short time at Westminster School, then for a short time at Oxford. He came to some extent under court influences, then travelled widely, meeting a varied society, from Jesuits at Vienna to Calvinistic divines in the centres of Protestantism. While still immature, he was in close intimacy with Cotton, in Massachusetts, for nearly two years, proceeding soon after to intimacy with Pym, Hampden, Cromwell, the strong men of the Long

Parliament. Though self-willed, there is no reason for believing that Vane was not impressionable, and we may be sure Cotton impressed him. Cotton while in England had been a power in the Eastern Counties, impressing men greatly from Cromwell down. Though his course in his trying New England ordeal was disappointing, he did not lose his mastery over the minds of his generation. While in contact with Vane he wrote *The Keys* and *The Way of the Churches*, documents which to the founders of Independence in England were a starting-point and source of inspiration. We hold that Vane had many teachers and that Cotton, whom he knew while still unformed, must have been one. The influence of Cotton upon Vane was one among many, but we are not disposed to question the phrase "preceptor of Vane", upon Cotton's beautiful memorial in the First Church in Boston.

Dr. King takes Mr. C. F. Adams to task for saying that while in certain important contentions John Winthrop was wrong and Vane right, yet that the former was a safer governor for Massachusetts in 1637 than the latter. While not defending Mr. Adams's phrasing, we yet believe that the remark in general is true. History teaches nothing more certainly than that those who guide states must trim their sails to suit the wind when days are stormy. If it is not so, men of the class of William the Silent, Cromwell, and Abraham Lincoln stand discredited; while Winthrop, in power, perhaps in manful virtue, is by no means to be measured with Vane, his wariness and caution, borne of ripe experience were of more service in the crisis of New England than would have been the rash, ill-considered policy of the "boy governor", striving after absolute ideals while blind to the facts of human nature.

J. K. HOSMER.

Roger Williams: a Study of the Life, Times and Character of a Political Pioneer. By Edmund J. Carpenter, Litt.D. (New York, The Grafton Press, 1909, pp. xxxiv, 253.) We have been unable to discover that Mr. Carpenter's neatly printed and attractively bound volume contains aug'nt of fact or suggestion, with regard to Roger Williams, that is new. The incidents of Williams's life have so often been recorded that one is inclined to wonder that they should again be made matter of biography. Lives of the founder of Providence Plantations have been written by Knowles (1834), by Gammell (1845), by Elton (1853), and by Oscar S. Straus (1894). Moreover, there are in existence Williams's own letters as collected by the Narrangansett Club (1866-1874), and as further collected by the Rhode Island Historical Society, not to mention scores of addresses and articles in magazines.

Yet all of the books named, save perchance the life by Straus, are out of print; and as for the addresses and articles, they too are largely inaccessible to the general reader. The merits of Mr. Carpenter's biography are a complete (hardly prolix) statement of Roger Williams's

career, a fluent narrative style, use of original sources, and fairness. No brief is held for Williams, and none against him. His early contentiousness, his early inconsistency, his defiance of the state of Massachusetts, not only in religious but in political matters, and his indefensible, well-nigh persecuting attitude toward the Quakers—all are mentioned; but so are his marvellous personal charm and, in maturer years, his absolute mastery of the principle of freedom of conscience in religion.

With regard to the form of government adopted by the Bay Colony, Mr. Carpenter does not hesitate to say "[it] was unquestionably a pure Theocracy". At the same time, he presents in extenuation of the Bay Colony's expulsion of its critic, the naïve argument that "it was not the fact that he held certain newe and dangerous opinions" which was his undoing, but that he "broached and dyvulg'd" them; as though the magistrates would or could have taken notice of opinions which had not been "broached and dyvulg'd".

Chapter I. is, we think, marked by an unnecessary balancing of pros and cons, on the question of the parentage of Roger Williams. The views of Mr. Henry F. Waters in favor of a London as against a Welsh origin have long been accepted. And had Mr. Carpenter read more widely with regard to the "Mary" who became Williams's wife, he would have discovered that Mr. Almon D. Hodges (*New England Historical and Genealogical Register*, January, 1889) has so far been supplemented by Mr. Clarence S. Brigham (*R. I. Hist. Soc. Pub.*, new series, VIII, 67-68) that the wife is now known to have been Mary Barnard and not Mary Warnerd nor Warnard. The aim of the biography, as stated by the author in his preface (an aim on the whole accomplished), has been "to produce a picture of the man himself, from which the reader will be quite capable of forming opinions, unaided by suggestions from the collector and compiler of the facts".

IRVING B. RICHMAN.

Calendar of the Sir William Johnson Manuscripts in the New York State Library. Compiled by Richard E. Day, M.A., Litt.D. (Albany, University of the State of New York, 1909, pp. 683.) About 6550 individual papers dating from October 26, 1733, to March 30, 1808, are here calendared in their chronological sequence. Notes are added when manuscripts have been printed in *Documents relative to the Colonial History of the State of New York* or in the *Documentary History of the State of New York*. Reference is made also to duplicates in the State Library collection of New York Colonial Manuscripts. Although a few errors have been noted and it would have been helpful to have included references to books where others of these manuscripts have been printed, this work of comparison is well done and an excellent index increases the value of the *Calendar*.

Of the twenty-six volumes of manuscripts listed by Dr. Day all but one consist of papers in the possession of Sir William Johnson at

the time of his death in 1774 and deal with American colonial history before that date. The last volume contains official papers relating to the disbursements in the Indian Department during the superintendency of Sir William and of his son, Guy Johnson, with a few manuscripts of the American Revolution or of later date. The defects of the book are largely of publication and not of compilation. The calendar entries are crowded and the paper is poor. It is a question whether a description of a manuscript can be considered adequate which omits its length and neglects to state whether it be an original or a transcript. It is difficult to summarize twelve important manuscripts on a single printed page and not crowd the calendar entries. Whether or not it would have been wiser to have printed the work on a better paper, with a more durable binding and giving more complete summaries of the unprinted manuscripts, each user of the *Calendar* will decide for himself.

C. H. L.

The Taverns and Turnpikes of Blandford, 1733-1833. By Sumner Gilbert Wood, Congregational Minister in Blandford, Massachusetts. (Published by the Author, 1909, pp. vii, 357.) This is a chaotic but distinctly interesting bit of antiquarian history relating to one aspect of a Massachusetts hill-town during the century before the advent of steam-transportation. Blandford was one of the later frontier towns, settled shortly before the French wars on the rocky, rather barren ridges, worn into rounded hilltops by ancient ice-sheets, and carved more recently into narrow valleys by brawling brooks, which make up the greater part of the territory between the Connecticut and Hudson rivers. Here came a race of pioneers, largely Scotch-Irish in blood, who developed a community of farmers and graziers and, less than three generations after their first arrival, began a second migration into New York and Ohio. When the author of this work gives us in the future a detailed portrait of those settlers and the township they founded, it is to be hoped that he will follow a chronological method of presentation, for the topographical basis of the present volume really obscures its merits. Mr. Wood takes up each road and each tavern in succession, including under the latter heading every house, whether vanished or extant, in which at any time the sale of liquor was licensed, and traces its complete history. The result is to create a confused impression. Names of persons appear and reappear, deaths and land transfers are recorded before the individuals are fully dealt with, and the general descriptions necessary for a clear comprehension of the social forces at work to create all these "taverns" and turnpikes are not encountered until the middle and end of the work. The book is in reality marked by an appreciative and sound historical sense, and gives one a lively glimpse of a hard-drinking, litigious, land-swapping, and mortgaging community, with its economic life centring around the stage-roads to Albany and Hartford before the days of railways.

T. C. SMITH.

Journals of the House of Burgesses of Virginia, 1742-1747; 1748-1749. Edited by H. R. McIlwaine. (Richmond, 1909, pp. xxx, 427.) Proceeding backward in chronological order, the librarian of the Virginia State Library embraces in this seventh volume the five sessions of the assembly of 1742-1747 and the assembly of 1748-1749, the latter having had only one session, but that a busy one. The texts are obtained from the imperfect printed copies in the Virginia State Library and the Library of Congress, and from the remarkable series possessed by the late Mrs. C. W. Coleman. These texts are preceded by careful lists of burgesses and by editorial introductions. The workmanship of the volume is in the highest degree creditable and the contents are of much interest. The interval of more than two years between the end of the first session, June 19, 1742, and the beginning of the second, September 4, 1744, shows that the war with which Great Britain was at that time occupied no longer excited more than a languid interest in the colony. The actions of the second session confirm this impression. The third session, called together a year and a half after the conclusion of the second, because of the Young Pretender's descent upon England, is marked by an outburst of loyalty and the familiar phenomenon of an "association", but does not disclose any extraordinary revival of interest in the warfare. More interesting to the burgesses were their efforts toward jealous preservation of the traditional privileges of the lower house, modelled on those of the House of Commons. These are vindicated in several interesting cases of punishment of individuals and of conflict with the council. The most marked instance of the latter was the result of a fire which in 1747 consumed the capitol at Williamsburg, and of the strong desire then manifested by a majority of the House of Burgesses to remove the seat of government to a more central location. This movement, checked at the time by the action of the governor and the council, was not finally successful until 1779. The chief business of the second of these assemblies was the passing of the revised statutes of 1748. In the session of the spring of 1746 nine revisors had been appointed to propose repeals of obsolete statutes, and consolidations and revisions of those retained. It appears that of the eighty-nine resulting statutes passed in this final session only fifty-eight are printed in Hening.

History of the Battle of Point Pleasant, fought between White Men and Indians at the Mouth of the Great Kanawha River (now Point Pleasant, West Virginia), Monday, October 10th, 1774: the Chief Event of Lord Dunmore's War. By Virgil A. Lewis, A.M., State Historian and Archivist. (Charleston, W. Va., The Tribune Printing Company, 1909, pp. 131.) This is, we believe, the first attempt to write a complete history of Dunmore's War from the original materials now available in print. Although modestly entitled the *Battle of Point Pleasant*, the author covers in effect the entire event, except listing the Indian

massacres and forays that led to the expedition. The effect of the book is rather that of a series of chapters strung on a general theme for a thread than that of a connected and ordered narrative of an important episode in the winning of the West. In his desire to give the reader the benefit of the original accounts Mr. Lewis has inserted these in a somewhat surgical fashion, and in some instances—as for example the Orderly Book of Colonel Fleming—does nothing to show where the original ends and the author's comments begin. He is, nevertheless, very careful and accurate in his statements, has large knowledge of local conditions, and shows considerable historical acumen in his discussion of the traditions that have grown up around the expeditions, and the false motives that have too long been attributed to Lord Dunmore and General Andrew Lewis. There seems to be no accessible material that the author has not scanned. His extracts from contemporary gazettes, as well as his brief but satisfactory biographical sketches, are contributions of worth to the literature of the subject.

While Mr. Lewis distinguishes between primary sources written at the time of the action, and later descriptions of participants after their memories had been dimmed by the mists of time, we nevertheless think he relies too much upon the narrative of Colonel Charles A. Stuart, who, although he had been in the battle on the momentous tenth of October, 1774, did not commit his recollections to writing until more than a quarter of a century had passed. His is the only authority we have found for the flank movement up Crooked Creek that terminated the engagement, and we must consider it doubtful if not apocryphal, since vivid contemporary accounts make no reference thereto.

On the results of Lord Dunmore's War the author makes broad inferences, most of which, however, we believe will commend themselves to historical critics, and tend to place this frontier episode in its true light. Thus the beautiful monument at the forks of the Ohio and Kanawha to whose erection Mr. Lewis's zeal so largely contributed will justify its national character.

Some typographical errors in the book are unfortunate, such as the death of Dunmore in 1609, and the persistent spelling of "Boquet" for Colonel Henry Bouquet of the British army. In a work, also, whose genealogical value is considerable, the lack of an index is an error.

L. P. K.

The Evolution of the American Flag. From materials collected by the late George Canby. By Lloyd Balderston, Ph.D., Professor of Physics at the West Chester State Normal School. (Philadelphia, Ferris and Leach, 1909, pp. 144.) This little book is one of the most sensible of its all too common species—the pious effort of a reverent descendant to bolster the claims of an admired ancestor to some worthy but unauthenticated act. It is accurate, and reasonable, and even critical enough in relation to all matters treated except the one matter which

inspired the writing of the book—the Betsy Ross legend. There the author substitutes probability for proof, and second generation affidavits for contemporary and disinterested testimony (see appendixes D and G and pages 46-49). Except this collection of implicitly believed probabilities and the array of solemn affidavits by good souls whose intentional honesty one has not the heart to doubt, the book contains little if anything not contained in Preble's monumental *History of the Flag*, or even in that excellent little pamphlet by Charles E. Dana, *Notes on the American Flag and some Others*. Indeed Professor Dana, having apparently seen the material and heard the arguments offered by Mr. Balderston in this book, had so completely shown, two years before the book's publication how it failed to prove its point about Betsy Ross, that we wonder why the book ever appeared at all. And yet, leaving out the special pleading for Betsy Ross, the book is a handy and fairly reliable compendium of information about the American flags which preceded the Stars and Stripes and about the use of the latter during the Revolutionary War and since. As to the use of the Stars and Stripes at the battles of Brandywine and Germantown, the author is more conservative than Preble. He thinks there is no proof of the use, and remarks rather naively, after his own credulous attitude toward the Betsy Ross legend, that "Inferences are easily made, but we must not call them history, however ingenious and reasonable they may be." The book contains some interesting and some valuable illustrations.

C. H. VAN TYNE.

In *The Tories of Chippeny Hill, Connecticut; a brief Account of the Loyalists of Bristol, Plymouth, and Harwinton, who founded St. Matthew's Church in East Plymouth in 1791*, by E. Le Roy Pond (the Grafton Press, pp. 92), are gathered together many of the facts, traditions, and conjectures concerning a group of Connecticut Loyalists, the principal of whom were James Nichols, Stephen Graves, and Moses Dunbar. Considerable documentary material, some of it from unprinted records, is interspersed through the book, but there is little attempt to give the account a critical character. The volume ends with a bibliography occupying two pages.

Collections of the Illinois State Historical Library. Volume V. Virginia Series, volume I. *Kaskaskia Records, 1778-1790*. Edited with introduction and notes by Clarence W. Alvord of the University of Illinois. (Springfield, Illinois, Illinois State Historical Library, 1909, pp. 1, 681.) This is the second volume of a series of documents designed to include "practically all the extant sources for the history of Illinois" during the period 1778-1790. The first volume, which appeared in 1907 (reviewed in the AMERICAN HISTORICAL REVIEW, XIII. 390), contained the records of Cahokia; the present volume the records of the more important centre, Kaskaskia. The general introduction to the two

volumes was printed in the first, although based in large part upon the material now published in the second. The introduction to the second volume deals more particularly with three problems or phases of the history of the period. The first of these, the relation of Thomas Bentley to the occupation of the Illinois country in 1778, Mr. Alvord declares himself unable to solve definitely; that "the conception of the occupation of the Northwest originated in the fertile brain of Thomas Bentley", seems to the editor to be supported by the evidence, but not to be established by unassailable proof. The discussion of the second problem, the part taken by Father Pierre Gibault in the submission of Vincennes, is substantially as in Mr. Alvord's introduction to the Gibault documents printed in this journal a year ago (*AMERICAN HISTORICAL REVIEW*, XIV. 544 ff.). The third part of the introduction relates to ecclesiastical affairs, a phase but lightly touched on in the first volume, and contains an account of the ecclesiastical organization of the territory, as well as sketches of the various priests, especially Fathers St. Pierre and De la Valinière.

The more than two hundred and fifty documents in this volume are drawn mainly from the Kaskaskia records, which it will be remembered were rediscovered by Mr. Alvord in 1905, after they had long been supposed to be lost, and the Menard collection, with a considerable number from the Haldimand papers, the Draper manuscripts, the Continental Congress papers, and the archiepiscopal archives at Quebec. With the exception of those relating to ecclesiastical affairs, which are very conveniently grouped by themselves, the documents are in chronological order, but a superimposed system of chapter-headings enables the progress of events to be readily followed, and the important matters treated to be easily distinguished.

The documents include the record of Rocheblave's court of enquiry of September, 1777, letters of Thomas Bentley, Gabriel Cerré, Jean Bte. Laffont, Jean Girault, John Todd, John Montgomery, Colonel Mottin de la Balme, Philippe de Rocheblave, Timothé de Montbreun, John Dodge, Father de la Valinière, Major John Hamtramck, Father Gibault, Father St. Pierre, and many others, as well as memorials to Congress, land grants, petitions of individuals, appointments to office, court records, instructions, etc. The editorial work is of the high standard of scholarship which we have learned to expect from Mr. Alvord.

Historical Manuscripts Commission: Report on American Manuscripts in the Royal Institution of Great Britain. Volume IV. (Hereford, printed for H. M. Stationery Office, 1909, pp. xii, 533.) This fourth and last volume of the calendar of the American manuscripts in the Royal Institution in London covers the few remaining months, April to November, 1783, of the British occupation of the late colonies, that occupation being now limited to New York, St. Augustine, and

Penobscot. The most interesting of the papers are those which relate to the evacuation of these posts, and especially to the retirement of the Loyalists, the disbandment of those of the latter who were organized as military forces, the provision for those of them who were destitute, and the special arrangements made with respect to the German troops. A particularly interesting letter, given in full, is that with which the volume opens, a letter to Carleton from Captain William Armstrong, deputy quartermaster-general, whose business in connection with the conveying of certain stores and money to British and German prisoners of war in Pennsylvania and Maryland had taken him to Philadelphia, where he made good use of his opportunities of observation, the results of which are set forth in this communication. Like its predecessors, the volume is well made and fully indexed.

American Campaigns, by Major Matthew Forney Steele of the Second United States Cavalry, consists of lectures delivered at the army service schools at Fort Leavenworth. The author in a modest preface disclaims competent scholarship, and describes the book as printed simply to meet an immediate need for such a book in the service schools of the army; but historical students will be glad to have so intelligent a survey of our campaigns, with professional comments so illuminating. The work consists of two volumes, the first (pp. 731) of text, three-fourths of which is devoted to the Civil War and forty pages to the war with Spain. The second, consisting of 311 well-chosen maps and plans, will be especially valued. The work is published by the Military Information Committee of the second section of the General Staff.

Decisive Battles of America. By Albert Bushnell Hart, Thomas Wentworth Higginson, Claude Halstead Van Tyne, George Pierce Garrison, Rear-Admiral French Ensor Chadwick, U. S. N. (retired), James K. Hosmer, J. H. Latané, Richard Hildreth, Benson J. Lossing, and others. Edited by Ripley Hitchcock. (New York, Harper and Brothers, 1909, pp. xv, 397.) Although this work is put forth as a companion volume to Creasy's *Decisive Battles of the World*, probably not the editor himself would regard it as quite deserving to rank with the classic of Creasy. It is a book compacted of selections from various sources, the work of the editor consisting mainly in selection, compression, and necessary adaptations, with synopses of intervening events. He contributes also a general introduction, occasional paragraphs and notes, and presumably he is the writer of the chapter on the battle of Manila Bay. It is scarcely possible in a brief review to discuss the validity of the selection of contests for their decisiveness, yet, while there would be general agreement with regard to a number of the battles singled out, one may question, for instance, the importance given to New England's contests with the Indians and whether Appo-

mattox has any proper place in the text at all. In the case of the Mexican War the editor practically waives the question of decisiveness and includes essentially the entire series of battles, on the plea, proper enough in itself, that "the story of the more significant battles in these campaigns is entitled to better acquaintance." Perhaps the opportunity of using the lively descriptions of John Bonner, which had lain embedded in *Harper's Magazine* since 1855, contributed to this decision. One is practically estopped from raising the question whether in some instances better analyses of the battles might not have been found, inasmuch as the editor was apparently limited to writings controlled by the publishers of this volume. Quite appropriately, so far at least as political significance is concerned, a considerable proportion of the material is taken from the volumes in the *American Nation* series. Besides Professor Hart's chapter on Territorial Concepts, the volumes laid under contribution are those by Dr. Thwaites, Professor Van Tyne, Admiral Chadwick, Dr. Hosmer, and Professor Latané. Three chapters are taken from Hildreth, one (Bunker Hill) from Lossing's *Field-Book* (some pages on Yorktown are condensed from the same source), and two from James Barnes's *Naval Actions of the War of 1812*. After all is said a book which gathers into small compass so much of the significant military history of America is very useful. Some oversights in proof-reading have been observed; for instance Lieutenant-Colonel John Laurens appears as "de Laurens" (p. 149), and Professor Latané's name is, through typographical errors, given at least three variations. Portions of the book are deficient in good maps.

Canal Enlargement in New York State: Papers on the Barge Canal Campaign and related Topics, edited by Frank H. Severance [Buffalo Historical Society Publications, XIV.] (pp. xvii, 446), is the second of the Buffalo Historical Society's volumes devoted to the narrative and documentary history of New York state's canals. The first was Henry W. Hill's *Waterways and Canal Construction in New York State*, which appeared a short time ago, and a third, containing journals, documents, official correspondence, etc., is now in press. Papers on various phases of the canal enlargement project are contributed by Frank S. Gardner, Gustav H. Schwab, Henry B. Hebert, General F. V. Greene, Colonel T. W. Symons, John D. Kernan, George H. Raymond, Howard J. Smith, and M. M. Wilner. Two documents of importance for the earlier history of New York's canals are printed in this volume. They are the Second Report of the Western Inland Lock Navigation Company, made by Philip Schuyler, in 1798, comprising the official history of the canal project since 1792, and New York's canal memorial of 1816, a document drafted by De Witt Clinton. The editor furnishes an Historical Sketch of the Board of Trade, the Merchants' Exchange, and the Chamber of Commerce of Buffalo, which occupies nearly one hundred pages of the volume and contains much material relating to Buffalo's commercial

activities. *Reminiscences of Surveys of the Erie Canal in 1816-1817* is an interesting paper read before the Buffalo Historical Society in 1866 by William C. Young. The volume contains numerous illustrations and a copious index.

Thomas Cox. By Harvey Reid. [Iowa Biographical Series, edited by Benjamin F. Shambaugh.] (Iowa City, Iowa, State Historical Society of Iowa, 1909, pp. xv, 257.) The task of reconstructing a career from a few misty traditions and almost as few documentary fragments is not an easy one for the historian, however stimulating such an opportunity may be to the novelist. The author of this biography of Thomas Cox has gone about his task conscientiously and yet with industrious determination to present the career of Thomas Cox with a consequential completeness despite the fragmentary character of his materials.

Thomas Cox was born in Kentucky in 1787, was a member of the first legislature of the state of Illinois, became United States deputy surveyor in 1837 and settled in Iowa. From this point his career can be traced with somewhat greater definiteness, although the records are still scant. He was almost consecutively in the territorial legislature from the organization of the territory until his death in 1844, having been speaker of the house and afterward president of the council. Such records as exist have been supplemented by personal recollections. If the author has placed his imagination under proper historical restraint he has still, by the very nature of his evidence, been compelled to resort much to conjecture, and to statements of reasonable probabilities. The name of Thomas Cox upon a muster roll may be the sole basis for a chapter upon a campaign, yet what is thus supplied is history and not fiction. The reader is, however, often troubled by the feeling that he cannot find the man he is looking for, moving in the events described. Indeed the figure of Thomas Cox remains somewhat shadowy to the end. The book presents nevertheless interesting glimpses of early times in Iowa, and in its main purpose is not without result.

Stephen A. Douglas: his Life, Public Services, Speeches and Patriotism. By Clark E. Carr, LL.D. (Chicago, A. C. McClurg and Company, 1909, pp. xii, 293.) From the pen of Colonel Carr who has written so vivaciously about his Illinois contemporaries, readers of American biography have been led to expect, if not a sober account of Stephen A. Douglas, at least a book of entertaining personal reminiscences. But the amount of original matter in this sketch is so slight that almost anyone with the campaign biographies by Sheahan and Flint at his elbow might have put the book together. From first to last it is a panegyric. Indeed, so frequent is the use of superlatives that the reader can hardly make up his mind to take Colonel Carr seriously. We read of Douglas that "when he overthrew the Missouri Compromise line, that mighty barricade wall against slavery, he was

the most potential of Americans, dominating not only the Senate, of which he was the most conspicuous member, but the House of Representatives and, in so far as he desired, the executive" (p. 74). And again, in 1861: "As he stood before that vast assemblage in Chicago, Senator Douglas was the mightiest and most potential figure in the galaxy of American statesmen. . . . Such enthusiastic greeting, such rapturous applause, had never been accorded to another public man since the days of the fathers" (p. 141). On page 130, the author's imagination fairly runs away with him: "This meeting of Abraham Lincoln and Stephen A. Douglas, held while the rebel shot and shell were falling upon the walls of Fort Sumter, was the most momentous conference ever held upon the western hemisphere." This meeting, by the by, was held on Sunday evening after Fort Sumter had been evacuated. The reader who enjoys this blend of eloquence and history will find abundant opportunities to gratify his taste. Extracts from the speeches of Douglas form an appendix which doubles the bulk of the volume.

Something of Men I have Known, with Some Papers of a General Nature, Political, Historical, and Retrospective. By Adlai E. Stevenson. (Chicago, A. C. McClurg and Company, 1909, pp. xii, 442.) The period in the life of the ex-Vice President covered by these reminiscences of men with whom he came into contact or of whom he heard extends from his entrance into Congress in 1875 to his retirement from the vice-presidency in 1897, although he is frequently drawn beyond these limits. He has confined himself with a few exceptions to anecdotes and to personal sketches. A slight association is frequently sufficient to introduce a chapter or a subject. Remembrance that he once paid a visit to Bladensburg duelling-ground produces a chapter on the Code of Honor and a description of all prominent duels in our history; an introduction in Washington "nearly a quarter of a century ago" to the widow of Hon. John H. Eaton leads to the story of "Peggy" O'Neal and the Jackson cabinet; and a recollection of his *ex-officio* regency of the Smithsonian Institution inspires a sketch of James Smithson. Most of the chapters are born of associations in Congress. The fact that the Hon. George Q. Cannon of Utah occupied a seat in Congress across the aisle produces a chapter on the Mormon Exodus from Illinois. Contact with Hon. Frederick B. Wright, who had been in the Democratic National Convention in 1844, leads to the story of the First Political Telegram and the achievement of S. F. B. Morse.

Following these Congressional associations, the author turns to Illinois, speaking in a casual but interesting way of the Rev. Peter Cartwright, Robert G. Ingersoll, and Governor Reynolds. Scattered through the book are political-science essays on the history and working of the Senate and of the vice-presidency and a general chapter on the decline of oratory. Many of the chapters—perhaps a third of the book—are devoted to reprints of occasional addresses made by Mr. Steven-

son at the laying of corner-stones, unveiling of statues, and similar functions.

Faults of construction in the book are forgotten in the delightful spirit of the writer, the absence of harshness or malice. The anecdotes of statesmen are told with that flavor which has long made the author renowned as a *raconteur*; the unusual wealth of quotation recalls an apparently forgotten style of composition; and the concluding address made to a crowd of friends in his home-city reveals a tenderness of sentiment in the author worthy of a public appreciation.

The Columbia River: its History, its Myths, its Scenery, its Commerce. By William Denison Lyman, Professor of History in Whitman College, Walla Walla, Washington. (New York and London, G. P. Putnam's Sons, pp. xx, 409.) That the author approaches his work with perfect sincerity is evidenced by the dedication to his parents who were pioneers of 1849 in the Columbia River country. Taking this evidence into account, the present reviewer began a study of the bulky volume with a genuine sympathy. His disappointment was swift and severe. The book is not satisfying to read nor is it easily reviewed. The trouble lies with the author's diverse aim. The title is comprehensive enough to include almost anything intimately or remotely connected with the Columbia River. At the threshold the author declares that "this volume is designed to be a history and description", and later in the preface he forestalls criticism by saying that "his treatment of the subject has been general rather than detailed, and popular rather than recondite", and that "the book is rather for the general reader than for the specialist." And again, "frequent reference in the body of the book to authorities renders it unnecessary to name them here."

It is not possible in the present age to produce literature worthy the dignified name of "history" with any such diversity of purpose as that. Professor Lyman, though aiming at "historical accuracy", frequently quotes from other writers in the most offhand way. On page 207 there appears: "Of this Mr. Osborne says" and there follow three pages of fine print without any indication whatever of when, where, or how Mr. Osborne said it. Nearly every other quotation is similarly inserted. The author evidently has a grudge against explanatory foot-notes. There is not one in the volume. In the absence of that convenience some other should have been provided, for there are many intelligent people, even among general readers, who still have respect for sources.

The "commerce" of the subtitle is casually mentioned as the narrative proceeds. Chapter x. gives a racy account of early steamboating on the river and chapter xii. gives five pages of summary in most general terms. There is no quarrel with the author's less serious "myths", "scenery", and "side trips". These are by far the best parts of the book. They comprise a welcome addition to the literature of the Pacific Northwest.

The book is most attractively published and is sumptuously illustrated with ninety-three pictures, two-thirds of which are full-page. There are also two useful maps, one of the Columbia River and surrounding country, and the other of the entrance to the river.

EDMOND S. MEANY.

The American Addresses at the Second Hague Peace Conference, delivered by Joseph H. Choate, Horace Porter, and James Brown Scott, edited with introductory notes by Professor James Brown Scott, have been published for the International School of Peace by Ginn and Company (Boston and London, 1910, pp. xlviii, 217). The editor introduces the volume with a note, six pages in length, on formal and informal addresses at the conference, and follows this with addresses delivered in this country by Mr. Joseph H. Choate, General Horace Porter, and himself, concerning the work of the conference. The most notable of the addresses at the conference are by Mr. Joseph H. Choate on Immunity from Capture of Private Unoffending Property of the Enemy upon the High Seas, by General Horace Porter on the Limitation of Force in the Collection of Contractual Debts, and by Mr. Choate on the International Court of Prize, an address which suggested the lines on which the court was actually constituted. On the general subject of international arbitration there are numerous addresses by both Mr. Choate and Mr. Scott. The most considerable of these are the American Project for a Permanent Court of Arbitral Justice, by Mr. Choate, and the Elements entering into the Composition of an International Court of Arbitral Justice, by Mr. Scott. Added to these is Mr. Scott's elaborate Report to the Conference recommending the Establishment of a Court of Arbitral Justice. An appendix contains the texts (ten in all) discussed at the conference. The editor has furnished helpful explanatory notes introductory to the principal addresses.

The National Gallery of Art: Department of Fine Arts of the National Museum. [United States National Museum, Bulletin 70.] By Richard Rathbun, Assistant Secretary of the Smithsonian Institution, (Washington, Government Printing Office, 1909, pp. 140, and 26 plates.) In this excellent specimen of book-making, illustrated with remarkably good plates, Mr. Rathbun tells the history of almost seventy years' progress toward the creation of a national gallery of art in Washington, and describes the chief treasures thus far accumulated. As long ago as 1840, the National Institute was founded with the collection of works of art as one of its objects, and the formation of a gallery of art was one of the purposes of the Smithsonian Institution declared in 1846 in its act of incorporation. Mr. Rathbun tells the story of the Institute's acquisitions, of their passage into the hands of the Smithsonian Institution, and of the additions made to the latter—casual and far from constituting an artistic collection, yet including some meritorious objects.

Down to 1903 there had been little approach to the ideal of a national art gallery. In that year Mrs. Harriet Lane Johnston, niece of President Buchanan, died, leaving a small but valuable collection of paintings under such terms of bequest that a judicial decision awarded them to the custody of the Smithsonian Institution and drew public attention to the legal position of the latter as a national gallery of art. The noble gifts of Mr. Charles L. Freer and Mr. William T. Evans followed, the former, aside from its Whistlers, consisting chiefly of choice examples of Chinese and Japanese art, the latter of American paintings. These have raised the collection to a high level of importance, and justified a more special organization. The effecting of this organization, the adoption of the designation National Gallery of Art, and the recent plans for temporary housing of the collections, furnish the occasion for the present interesting book, which records without exaggeration what has hitherto been accomplished, yet inevitably gives suggestive glimpses of an inspiring future.

The Bureau of American Ethnology has issued as *Bulletin 38* (pp. 288) the first of a contemplated series of volumes relating to the natives of the Hawaiian Islands. This volume bears the title *Unwritten Literature of Hawaii: the Sacred Songs of the Hula*, collected and translated, with notes and an account of the *hula*, by Nathaniel B. Emerson, A.M., M.D. "The *hula*", we are told, "was a religious service, in which poetry, music, pantomime, and the dance lent themselves, under the forms of dramatic art, to the refreshment of men's minds. . . . As to subject-matter, its warp was spun largely from the bowels of the old-time mythology into cords through which the race maintained vital connection with its mysterious past. Interwoven with these, forming the woof, were threads of a thousand hues and of many fabrics." About fifty pages of the volume are devoted to an historical and descriptive account of the *hula*, its religious setting and ceremonies, its support and organization, including an account of the *halau* or hall of the *hula*. Many of the songs are given, accompanied by metrical English translations, which show the usual limitations of translations but also show at times no small measure of poetical skill. There is a chapter on the music and musical instruments of the Hawaiians, and many specimens of music as well as the words of songs are given. There is much explanatory matter throughout the pages, and a glossary of terms is appended.

There is little in Francis Augustus MacNutt's *Fernando Cortes and the Conquest of Mexico, 1485-1547* (New York, G. P. Putnam's Sons, 1909, pp. xxi, 475) to call for critical consideration. There has long been opportunity for a new life of the conqueror of Mexico, and there continues to be urgent need for a work which will place within the knowledge of English readers the man, the circumstances of the country and the time, and the events as they appear to an investigator

trained in the methods of a modern historical school. Mr. MacNutt's translation of the despatches of Cortes, published in 1908, gave him familiarity with the principal source of information regarding the events of the conquest, and with a part of the material available for the reconstruction of the personality of the conqueror. He has found this preparation ample for the writing of the latest addition to the *Heroes of the Nations* series. The authorities cited in support of the text, such as an Italian version of Alaman's *Dissertations*, may all easily have been at hand in the Tyrolean *schloss* from which the preface is dated, and there is sufficient internal evidence to confirm the impression that the author's labors were performed at a distance from any incentive to critical historical work. Solis, Clavigero, Gomara, and Prescott are the preferred authorities, whenever the author was aware that later writers have ventured to suggest that the statements of the conquerors are not always to be taken literally.

The publishers have produced the book in a form to lead one to suspect that they are relying for their sales mainly upon those who will buy this volume because they already possess the previous issues of the series.

G. P. W.

La Revolucion de Ayutla, segun el Archivo del General Doblado. [Documentos Inéditos ó muy Raros para la Historia de México, edited by Genaro García. Tomo XXVI.] (Mexico, Bouret, 1909, pp. 264.) The total failure of Mexico in her struggle against the United States pointed many morals, and the reflective and patriotic among the public men of that country took them to heart. General D. José Joaquin de Herrera, who became President on the conclusion of peace, endeavored to carry out much-needed reforms, and in this policy he was followed by his Minister of War and successor in the presidential office, General D. Mariano Arista, an uneducated but able and public-spirited man. In the prosecution of this aim, Arista and his friends aroused the hostility of the clergy, the incompetent officials, the financiers accustomed to prey upon the national treasury, and the corrupt, insubordinate army. The consequence was a revolution which brought back to Mexico as dictator that evil genius of the country, Santa Anna, and placed in power the worst elements of the national life. This condition of things caused the extreme Liberals (*Liberales Exaltados*) to proclaim a "Plan" at Ayutla, March 1, 1854, and resulted the following year in the overthrow of the usurper. One of the leaders in the opposition to Santa Anna was General D. Manuel Doblado, who, though lacking in resolution and sincerity, was courted on account of his talents and influence both by the Liberals and by the Conservatives. Doblado left papers numbering more than 2000, many of which are of great value; and the volume in hand consists of selected documents, running from 1846 to 1855 though dealing principally with the Revolution of

Ayutla, with brief but very helpful explanatory notes here and there from the editor. It should be examined by all interested in the political evolution of Mexico, our war with that country, or the characters and aims of such national figures as Juárez and Comonfort. We are greatly indebted to the editor for this and many other labors of love in the field of Mexican history, where so much work of the kind needs to be done.

JUSTIN H. SMITH.

TEXT-BOOKS

The Study of History in the Elementary Schools: Report to the American Historical Association by the Committee of Eight. (New York, Charles Scribner's Sons, 1909, pp. xx, 141.) This report is the result of four years' labor upon the part of a committee appointed in 1905 by the American Historical Association, and composed of James Alton James, chairman, Henry E. Bourne, Eugene C. Brooks, Wilbur F. Gordy, Mabel Hill, Julius Sachs, Henry W. Thurston, and J. H. Van Sickle. Two topics were assigned to the committee: the suggestion of a course of study in history for elementary schools, and the consideration of the most desirable preparation for the elementary history teacher. Each of the topics is treated separately in the report; there is outlined a course of study for eight grades which is almost in the nature of a syllabus, and there are supplementary chapters upon the preparation of the teacher, the method of presentation, typical lessons, illustrative material, and present conditions of history teaching in elementary schools not only of the United States, but of France, Germany, and England as well. The outline of the course of study is, however, the real crux of the report, for the character and extent of the teacher's preparation will be moulded in large degree by the character of the prescribed course of study.

The committee has accepted the view that some history shall be taught in every grade in the elementary schools, and has accordingly outlined an eight-year course of study. The course is based upon three fundamental principles: (1) that the plan should be adaptable to present conditions in the greater number of American schools, and not be in the form of ideal attainable in a very few schools, or by a future generation; (2) that the study of history should centre about American history, including not only events happening in America but those in the ancient or medieval or modern European world which have influenced American history; and (3) that a subject once taught should be taught thoroughly, and not thereafter be repeated. To the last proposition, all, probably, who have had experience of the deadening effect of repetition, will agree; upon the first and second, however, there is room for much difference of opinion.

The centring of the study upon American history is the most pronounced feature of the report, it is the one which has thus far been

most severely criticized, and it is that which will, if adopted, require the greatest reconstruction of courses of study and school programmes.

Accepting the point of view of the committee, it can be truthfully said that its work is well done. The course for grades one and two is confined to descriptions of Indian life and the treatment of national holidays. In grade three there are historical scenes and persons from different ages. The fourth and fifth grades take up scenes and persons in American history. Upon the sixth year the committee has expended its best thought, giving an extended analysis and detailed references to topics of interest to Americans from Greek, Roman, medieval, and English history, and closing with medieval trade conditions, the discovery of America, and the beginning of national rivalry for the new world. Grade seven opens with the permanent settlement of America by European nations and carries the story through colonial growth and rivalry to the close of the American Revolution. In grade eight the subject is continued into the national period and the course closes with a statement of the problems of the republic and with short analyses of recent changes in England, France, Germany, and Italy.

The committee has not only given a good analysis, but it has supplemented it with lists of books for teachers and for scholars. In addition, for the last three years it has indicated its estimate of the value of each of the principal topics. The plan is a decided advance over the courses of study in many of our schools, and it deserves to receive a wide adoption. Incidentally its adoption would necessitate two welcome changes, an increase in the efficiency of the teacher of history, probably by the establishment of the group or departmental system, and the creation of a series of better text-books.

A. E. M.

Outlines of General History. By V. A. Renouf, B.A. Edited by William Starr Myers, Ph.D. (New York, The Macmillan Company, 1909, pp. xx, 501.) A single volume presenting the leading facts in the history of the world seems to be justified in this instance. The author intended it for use primarily in the schools of the Far East, especially in those of the Chinese Empire. Emphasis is placed on "those events and institutions a knowledge of which is most useful to persons interested in public reforms in the East". Throughout, there is a fair-minded presentation of the facts which "show the value of high ideals of the truth and the advantage of liberal institutions". The general content of most of the chapters is not essentially different from that to be found in other general histories except that Japanese and Chinese history is appropriately introduced and emphasized.

If the general purpose is kept in mind, we excuse the author, evidently an American teacher in Pei Yang University, when he devotes only three and four lines to the settlements at Jamestown and Plymouth respectively; a scant page to the formation, adoption, and analysis of

the Constitution of the United States; and only five and one-half pages to the discussion of our national history. The space thus gained is effectively used, however, as in chapter xxxi., in a résumé of the effects on civilization of such influences as the advancement of science, railway construction, telegraphs, telephones, and newspapers; of the progress of education and humanitarian movements.

While the influence of certain Mongol statesmen and philosophers receives due recognition there is no attempt to gloss the fact that the nations they represent have, up to modern times because of their isolation and conservatism, failed to partake in the movements which have revolutionized society elsewhere. "Modern and mediaeval European conditions are so different that they can hardly be compared. Chinese conditions in the nineteenth and ninth century are so much alike that it would be difficult to find many points of difference" (p. 64).

The maps are well done, the illustrations are generally satisfactory, and the synchronistic table suggestive.

Little fault may be found to-day with Professor Renouf's main thesis that "The modern transformation of Japan and China is at least as significant as any other event or period in the world's history" (p. 456). Chapters, such as chapter v., on India, China, and Japan, and chapter xxxvii., on the Transformation of the Far East, should be read by all students of history in our secondary schools. But it will not be necessary nor desirable to return to a course in general history, now outgrown in American schools, to accomplish this purpose. Until there shall be incorporated in our text-books, as has been done in some instances, suitable chapters on Oriental history this volume may well be used as supplementary material.

JAMES A. JAMES.

An Introductory History of England. By C. R. L. Fletcher. Volume III. *From the Restoration to the Beginning of the Great War*; Volume IV. *The Great European War.* (New York, E. P. Dutton and Company, 1909, pp. xi, 372; ix, 351.) This is a flippant, colloquially written book, almost degenerating into a comic history at times, as when the author heads one of his chapters "The Age of W[h]igs" (ch. x.). It must be added that the book is written in a stimulating style which has its advantages in arousing the interest of students.

The work is even more objectionable from another point of view. It is an attempt to apply history to present conditions in Great Britain. It consequently partakes of the nature of a pamphlet, advocating a big army, a big navy, the rule of the upper classes, and Imperialism, the writer constantly pointing out the disadvantages arising from the adoption in the past of other policies than these.

The author has the most intense prejudices. He hates the Whigs with all the hatred of Samuel Johnson; he detests party governments, republicans, the Hanoverians, radicals, and Jesuits, and his remarks on

all of these subjects are quite without judicial calmness and well-nigh worthless. The same conclusion is valid for his strictures on men whom he does not like. James II. is "an immeasurable ass", Monmouth "an empty ass", Sunderland "perhaps the blackest-hearted villain in English history", George I. an "incompetent, sulky boor", Bolingbroke "a solemn windbag, without the remotest idea of statesmanship". He is intemperate in his criticisms of Fox, while Franklin, "the Pennsylvania Quaker", is "the most disgusting hypocrite of the lot". The Americans of the Revolution are "rebels", and Napoleon is a tyrant. Indeed the point of view in treating of foreign topics is extremely pro-British and provincial.

His predilections are as strong as his prejudices. His heroes are, of course, the men who stand in his mind for Imperialism: Marlborough, both Pitts, Nelson, Wellington, and above all Castlereagh. It has become the fashion among British historians to praise Castlereagh, and undoubtedly his merits have not been fittingly appreciated by earlier writers. Still, it is hardly true that Castlereagh was "the last great statesman who governed Britain". Such a judgment is excessively favorable, but it is characteristic of the author who knows no measure either in praise or blame.

The writer's notions on economic subjects are strangely mixed. He believes in free trade, but not always, for he thinks it was a mistake to take off the taxes on exported grain; he believes that the Navigation Act had excellent results; and he apparently supposes that a national debt is a national blessing.

The best chapters are those dealing with Scotland, India, Ireland, and the civilization of England in the eighteenth century. These are all too crowded with facts, but on the whole they are very good.

The book is full of interesting details, but in many cases they are unimportant details and necessarily exclude more valuable matter. There is too much space devoted to the minutiae of campaigns, a common error with English historians, and there is a considerable number of inaccurate statements, though perhaps not more than is fairly to be expected in a work covering so large a field.

RALPH C. H. CATTERALL.

A Source History of the United States, from Discovery (1492) to End of Reconstruction (1877), for use in High Schools, Normal Schools, and Colleges. By Howard Walter Caldwell, Professor of American History, University of Nebraska, and Clark Edmund Persinger, Associate Professor of American History, University of Nebraska. (Chicago, Ainsworth and Company, 1909, pp. xvi, 484.) It is now generally conceded that the teaching of history may be deepened and enriched through the judicious use of source-material. This volume has evidently grown out of the experience of the authors who have for many years been advocates of the pure source-method. Here, however, the choice of

two methods is left with the teacher; to use this book as the "basis of class-work" supplemented by readings in suitable texts, or to use it as supplementary to a regular text-book.

The four chapters, each having from four to seven sections, contain selections which illustrate phases of the political, social, and industrial life of America through the period of Reconstruction. Why similar events of the last quarter-century have been omitted is nowhere indicated. Well-written introductions which interpret the period under discussion accompany each chapter, and the sections also have brief preparatory summaries of special phases.

The sources most frequently drawn upon for the extracts used are the Force Collections; *Writings of Statesmen*; Benton, *Thirty Years View*; *Niles' Register*; the *Congressional Globe*; and volumes by certain travellers. The sources would be of more value, it is believed, if some attempt were made to present the personalities of the writers. Teachers as well as pupils might well be told, also, in some way that Bradford's *Plymouth Plantation* contains the best material on the early history of the Pilgrims; that Maclay's *Journal* with all its violent prejudices is the only real account we have of the debates in the Senate during the first Congress; and so on with Olmstead's *Cotton Kingdom*, Martineau's *Travels*, and numerous others.

The selections are as a rule brief, most of them containing but one or two paragraphs, and few of them having as much as three pages. Of the four hundred and eighty-four pages, an undue proportion, or two hundred and sixty-four pages, is devoted to the colonial period. The volume is comparatively free from typographical errors; "Brissit" (p. 250) and "Grundy" (p. 393) are correctly given on other pages. The questions which accompany each section are suggestive. Although the table of contents is unusually complete, this does not wholly take the place of an index.

JAMES A. JAMES.

NOTES AND NEWS

Professor Albert Bushnell Hart, who was one of the founders of this journal, a member of the Board of Editors from 1895 to the present time, and for thirteen years its secretary and treasurer, has declined re-election and a successor (Professor Turner) has been appointed. We give the first place in this record to an expression of the debt which the REVIEW owes to Professor Hart for generous services marked in the highest degree by efficiency, suggestiveness, and devotion to its interests.

AMERICAN HISTORICAL ASSOCIATION

The first volume of the Annual Report of the American Historical Association for 1908 will be distributed shortly. The second volume, which will contain the concluding portion of the Texan Diplomatic Correspondence, will not be issued until some time during the fall.

Professor Carter's *Great Britain and the Illinois Country, 1763-1774*, being the prize essay for 1908, and the second volume in the Association's new series of prize essays, is now well along in the press; subscribers may expect to receive their copies during the month of May.

In the series *Original Narratives of Early American History*, Johnson's *Wonder-working Providence of Sions Saviour in New England* is published by Scribners soon after the issue of this number of the REVIEW. *Narratives of Early Maryland*, edited by Mr. Clayton C. Hall, is in the press. The volume for Pennsylvania, Delaware, and West Jersey, edited by Dr. Albert C. Myers, is nearly ready in manuscript. The volume of narratives of early Carolina will be edited by Mr. A. S. Salley, Jr. This will be the twelfth of the series.

PERSONAL

Professor George Park Fisher of Yale University died on December 20, at the age of eighty-two. A professor of ecclesiastical history in Yale University since 1861, he had published in that field several volumes distinguished by abundant learning, careful statement, clearness, and comprehensiveness of view. The chief of these were his *History of the Reformation* (1873), his *History of the Christian Church* (1888), and his *History of Christian Doctrine* (1896). Besides many theological books, he also printed, in 1885, *Outlines of Universal History*. In 1897-1898 he was president of the American Historical Association. Dr. Fisher was a man of singular urbanity and charm of manner and conversation.

Senhor Joaquim Aurelio Nabuco de Araujo, Brazilian ambassador to the United States, died in Washington on January 17, at the age of sixty. A member of a family distinguished in the public life of Brazil, he took the chief part in the final abolition of slavery. As envoy extraordinary in England in 1900-1905, having charge of the Brazilian case in the controversy respecting the boundary between Brazil and British Guiana, he prepared in that capacity a large and scholarly series of documentary historical volumes. He was also the author of a history of the anti-slavery movement in the United States, in Portuguese, of a life of his father entitled *Um Estadista do Império*, virtually a constitutional and political history of the reign of Dom Pedro II., and of many graceful writings in the field of belles-lettres. Senhor Nabuco was a model of all that is scholarly and cultivated, of noble and winning character, and of chivalrous devotion to public causes.

The eminent philologist and archaeologist, Ludwig Friedländer, for many years professor at the University of Königsberg, and author of the celebrated book, *Darstellungen aus der Sittengeschichte Roms*, died recently in his eighty-sixth year.

August Meitzen, professor of political economy in Berlin University, and author of the monumental work, *Siedlung und Agrarwesen der Westgermanen und Ostgermanen, der Kelten, Römer, Finnen und Slawen*, as well as of other writings on agrarian history and on statistics, died in Berlin on January 19, aged eighty-six.

H. d'Arbois de Jubainville, member of the Institute and professor of Celtic language and literature at the Collège de France, died on February 26, aged eighty-two. From 1852 to 1880 he was departmental archivist at Troyes, and during this period was awarded the prize Gobert for his monumental *Histoire des Comtes de Champagne*. Profoundly influenced by the writings of Zeuss, he dedicated himself to Celtic antiquities and to the earliest history of Europe, and by his editorship of the *Revue Celtique*, his contributions to the series, *Cours de Littérature Celtique*, and his authorship of *Les Premiers Habitants de l'Europe*, he greatly advanced and popularized these studies.

Karl Krumbacher, professor of Middle and New Greek philology in the University of Munich, who, through his teaching, his numerous writings, and his long term of editorship of the *Byzantinische Zeitschrift*, did much to promote knowledge of Byzantine literature, language, and history, died on December 11, aged fifty-three.

Professor Charles M. Andrews of the Johns Hopkins University has accepted an election as professor of American colonial history in Yale University, his service there to begin next September. Professor Allen Johnson of Bowdoin College is elected a professor of American history in Yale College, to teach especially constitutional history.

Professor Edward L. Stevenson, of Rutgers College, has been

elected secretary of the Hispanic Society of America. Apart from his administrative duties, he is here offered opportunity to engage in important research-work within his particular field.

Professor William H. Allison of Bryn Mawr College will after the present academic year be professor of ecclesiastical history in the theological department of Colgate University.

Dr. James A. Robertson, of Madison and Cleveland, has gone to Manila to take charge of the Philippine Library in that city.

The executive committee on a memorial to the late Professor Frederic William Maitland announces that a personal memorial in the form of a bronze bust has been executed by Mr. S. Nicholson Babb for deposit in the Squire Law Library of Cambridge University, and that a fund of more than £2000 has been accepted by the university to be held on trust for the promotion of research and instruction in the history of law and of legal language and institutions.

GENERAL

The third annual meeting of the Mississippi Valley Historical Association will be held at Iowa City, Iowa, on May 25, 26, and 27, in conjunction with the State Historical Society of Iowa.

In order to make plans for a Year Book of the historical and political sciences, a conference of representatives of about twenty learned societies has lately organized a board of editors, with Professor Albert Bushnell Hart as chairman. It is expected that the first of these annual issues will appear early in 1911, though definite arrangements have not yet been concluded.

In Dr. Karl Hoffmeister's *Die Grundgesetze aller Völkergeschichtlichen Entwicklung* (Vienna, Fromme, 1909, pp. iv, 85), the author investigates the influence upon the development of mankind of fundamental biological and economic laws.

An address on *Ancient and Modern Imperialism*, delivered by Lord Cromer to the Classical Association, has been published through Murray (pp. 143) in enlarged form and with notes.

The *Revue d'Histoire et de Littérature Religieuses* (Nourry, Paris), whose issue recommences this year under the editorship of M. Alfred Loisy, professor of the history of religions at the Collège de France, will be devoted henceforth to the history of all religions.

Dr. Gisbert Brom, director of the Dutch Historical Institute in Rome, has published, in a conveniently arranged pamphlet, a *Guide aux Archives du Vatican* (Rome, Loescher, 1910, pp. x, 96), mainly composed of the accounts of the Vatican archives and their various subdivisions which are prefixed to the successive sections of his *Archivalia in Italië*, previously noticed in these pages. Translated into French and

appropriately revised for separate publication, this makes a most useful manual for the investigator; indeed there is no better handbook of the same introductory and general character.

The house of B. Kühlen has issued a magnificent quarto *Album Pontificale* (1909, pp. 99. 37), containing brief biographical notices of the popes, by Cardinal Hergenröther, illustrated with portraits taken from their medals, and with reproductions of the arms of the popes from Benedict IX. (1033-1044) to Pius X., by H. G. Ströhl.

The American Jewish Historical Society held its eighteenth annual meeting in New York on February 21 and 22. Among the interesting papers presented may especially be mentioned those by Mr. L. M. Friedmann, on Francisco de Faria and the Popish Plots; by Mr. B. H. Hartogensis, on Consanguineous Marriages at Jewish and American Law; by Mr. Leon Hühner, on Jews Connected with American Colleges and Professions before 1800, and on the Early Jews of Virginia; by Rev. Dr. David de Sola Pool, on Hebrew Learning among the Puritans of New England prior to 1700; and by Mr. David Sulzberger, on the Beginnings of Russo-Jewish Migration to Philadelphia.

A large number of recent works on history and economic geography are reviewed by J. Letaconnoux in the *Revue d'Histoire Moderne et Contemporaine* for January-February.

Découvertes d'Histoire Sociale, 1200-1910, by Vicomte Georges d'Avenel, is a recent issue in the *Bibliothèque de Philosophie Scientifique*, published under the direction of Gustave Le Bon, through Flammarion.

In E. K. Chatterton's book on *Sailing Ships: the Story of their Development from the Earliest Time to the Present Day* (Philadelphia, Lippincott), the author brings together a vast amount of information and discusses the causes of the invention of each new type of vessel.

The Library of Congress has published a *Select List of References on Sugar, chiefly in its Economic Aspects*, by Mr. H. H. B. Meyer, chief bibliographer. Many of the entries have a value for students of economic history.

Dr. Frederick A. Woods has proposed the name "historiometry" for that class of historical studies in which facts of a personal nature are "subjected to statistical analysis by some more or less objective method", and offers in the issue of *Science*, November 19, 1909, a brief bibliography of such works.

We have received from the Historical Seminary of the University of Louvain its *Rapport sur les Travaux pendant l'Année Académique 1908-1909* (pp. 429-518), containing, besides reports of special lectures delivered during the year, more extended summaries of investigations by Father Callaey, on the youth of Ubertin de Casale; by Mr. L. Bril, on

the historical sources of early Scandinavian history; and various discussions of the history of Gallicanism.

ANCIENT HISTORY

Messrs. Macmillan will publish in four volumes Dr. Frazer's forthcoming work on *Totemism and Exogamy*.

Leonard W. King's *History of Babylonia and Assyria from Prehistoric Times to the Persian Conquest* (London, Chatto and Windus) is in three volumes, of which the first is a history of Sumer and Akkad, an account of the early races of Babylonia from prehistoric times to about B. C. 2000; the second, a history of Babylon from the foundation of the monarchy, about B. C. 2000, until the conquest of Babylon by Cyrus, B. C. 539; and the third, a history of Assyria from the earliest period until the fall of Nineveh, B. C. 606.

A Survey of Recent Publications on Assyriology, by Hope W. Hugg, has been published by O. Schulze (1909, pp. 48).

The colleagues, friends, and admirers of Hermann V. Hilprecht have dedicated to him a number of studies in Assyriology and archaeology, brought together in a *Hilprecht Anniversary Volume* (Luzac, 1910, pp. 471, 85 pictures and 76 text-illustrations).

The Old Egyptian Faith, six lectures delivered in 1905 at the Collège de France by Dr. E. Naville, and translated by Dr. Colin Campbell, has been published by Williams and Norgate, London; New York, Putnams (pp. 231).

The results of the archaeological exploration of Delos, undertaken by the French school at Athens under the auspices of the Ministry of Public Instruction and at the expense of the Duke de Loubat, will be published through Fontemoing, Paris, in a sumptuous work of from twenty to thirty fascicles, issued under the direction of M. T. Homolle, former director, and M. M. Holleaux, present director, of the school. Two fascicles have already appeared, of which the first contains an introduction, a map of the island of Delos on the scale of 1/10,000, with explanatory commentary by A. Bellot; and the second, by G. Leroux, treats of *La Salle Hypostyle*.

Leçons d'Histoire Romaine (Paris, Hachette, pp. 294), by M. A. Bouché-Leclercq of the Institute, is a series of detached studies, extending through the republican and imperial periods, and treating of the causes that transformed the Republic into the Empire. The author attempts to explain some modern tendencies by the light of Roman history.

Roman Cities of Northern Italy and Dalmatia, a work on the early period of the history of the Roman Empire, by Professor A. L. Frothingham of Princeton, is being published by Sturgis and Walton Company.

A. von Domaszewski has a valuable article on rank, promotion, and organization in the Roman army in the *Bonner Jahrbücher*, CXVII. 1-278 (1908).

Professor J. B. Bury's Creighton Memorial Lecture on *The Constitution of the Later Roman Empire* has been published by the Cambridge University Press (1909, pp. 54).

Noteworthy articles in periodicals: Rev. Dr. Burney, *Ancient Jerusalem* (Quarterly Review, January); A. Profumo, *L'Incendio di Roma dell' Anno 64* (Rivista di Storia Antica, N. S., XIII. 1).

EARLY CHURCH HISTORY

Under the title *The Odes and Psalms of Solomon* (Cambridge University Press, 1909), Dr. J. Rendel Harris has edited with a long introduction and notes a new Syriac version of the Psalms of Solomon and a hitherto unknown Christian hymn-book, translated into Syriac from Greek, and dating, as he believes, wholly or in part from the first century.

Dr. E. A. Wallis Budge will edit for the British Museum a new series of Coptic texts of early Christian literature, to which he will add translations and notes. The first volume will contain the works comprised in the papyrus codex, Or. 5001, viz., sermons ascribed to John Chrysostom, two discourses by Proclus against Nestorius, homilies by Athanasius, and a discourse on the end of the world by Basil of Caesarea.

An essay on *Church Life and Thought in North Africa, A. D. 200*, by Dr. Stuart A. Donaldson, master of Magdalene College, Cambridge, has been issued by the Cambridge University Press (1909, pp. 212).

Documentary publications: H. von Soden, *Sententiae LXXXVII. Episcoporum: Das Protokoll der Synode von Karthago am 1. September 256, textkritisch hergestellt und überlieferungsgeschichtlich untersucht* (Nachrichten von der Königlichen Gesellschaft der Wissenschaften zu Göttingen, Phil-hist. Kl., 1909, 3); J. A. Nairn, *The De Sacerdotio of St. John Chrysostom* (Cambridge University Press).

Noteworthy articles in periodicals: V. Ermoni, *Le Marcionisme* (Revue des Questions Historiques, January); H. von Soden, *Die Prosopographie des Afrikanischen Episkopats zur Zeit Cyprians* (Quellen und Forschungen, XII. 2); V. Ermoni, *La Question Nestorienne d'après un Document Nouveau* (Revue Historique, January-February).

MEDIEVAL HISTORY

A recent number in the series of small illustrated handbooks entitled *Wissenschaft und Bildung* is *Die Kultur der Araber* (Leipzig, Quelle and Meyer, 1909, pp. 144), six lectures delivered before the High

School Association of Munich by Professor Joseph Hell, on the subjects of the Arabs before Islam, Muhammed, the Period of the Conquests, the Ommiads, Bagdad, and North Africa and Spain.

Students of early geography will welcome the learned critical edition of *The Christian Topography of Cosmas Indicopleustes* (pp. 376, 14 plates) brought out by E. O. Winstedt, late senior demy of Magdalen College, Oxford, through the Cambridge University Press.

The Clarendon Press has issued Professor Kirssopp Lake's *The Early Days of Monasticism on Mount Athos* (pp. 117), which includes the hitherto unpublished life of the ninth-century saint, Peter the Athonite, and other illustrative documents.

The Dolphin Press has published in attractive form *The Life of Saint Clare* ascribed to Thomas of Celano, translated and edited with skill from the earliest manuscript, that in the Communal Library of Assisi, by Fr. Paschal Robinson of the Order of Friars Minor. A translation of St. Clare's rule is added.

C. L. Kingsford, A. G. Little, and F. Tocco have edited for the British Society of Franciscan Studies its second volume (Aberdeen, 1910, pp. 198), which contains a bibliography of the writings of John Peckham, archbishop of Canterbury, and three of his works written in "defence of the Franciscan conception of evangelical poverty against the attacks both of the Seculars and of the Dominicans".

The Earl of Llandaff (Rt. Rev. A. H. Mathew, Old Catholic bishop) is translating from the Latin text edited by Thuasne the celebrated *Diary of John Burchard of Strassburg*, bishop of Orta and Civitâ Castellana, and master of ceremonies at the papal court. The first volume extends from 1483 to 1492 (London, Griffiths, 1910, pp. xlivi, 431).

Noteworthy articles in periodicals: J. K. Fotheringham, *Genoa and the Fourth Crusade* (English Historical Review, January); J. Mackinnon, *The Franco-Scottish League in the Fourteenth Century* (Scottish Historical Review, January); Fr. Bliemeister, *Conclusions de Guillaume de Salavarvila, Maître en Théologie, à Paris, sur la Question du Concile Général pendant le Grand Schisme d'Occident (1381)* (Revue d'Histoire Ecclésiastique, January); P. Richard, *Origines et Développement de la Sécrétairerie d'Etat Apostolique (1417-1823)* (*ibid.*).

MODERN HISTORY

The fourth volume of M. Léon Lallemant's *Histoire de la Charité* (Paris, Picard) extends from the fifteenth to the nineteenth century. The first part of the volume (pp. ix, 624) treats of theories of assistance; plagues and epidemics; the struggle against mendicity; and the organization of hospital establishments of all kinds. The second part of the volume is in preparation.

In an article entitled "The Latest Contributions to Erasmus' Correspondence", in the *Englische Studien* of Leipzig (vol. XL., fasc. 3, pp. 372 ff.), Dr. H. de Vocht, professor in the school of colonial sciences at Louvain, discusses three recent editions of Erasmus's letters, by P. S. Allen, Förstemann and Günther, and K. L. Enthoven, and in the case of the last two editions rectifies many errors, especially in the dating of the letters.

A description of Morocco in the reign of Moulay Ahmed El-Mansour (1596), from a Portuguese manuscript in the Bibliothèque Nationale, has been published through Leroux, Paris (1909, pp. 153), by Count Henry de Castries, who prints the Portuguese text and a French translation.

England and the French Revolution, 1789-1797, by W. T. Laprade of Trinity College, Durham, North Carolina, forms numbers 8 to 12 of series XXVII. of the *Johns Hopkins University Studies*.

W. Hardman's *History of Malta during the Period of the French and British Occupations, 1798-1815*, with notes by J. H. Rose, has been published by Longmans.

A translation from the German, by John Lees, of Houston Stewart Chamberlain's excellent philosophical work, *The Foundations of the Nineteenth Century*, is being published by John Lane, London, in two volumes, with an introduction by Lord Redesdale.

The Comte Charles de Mouyé, who has previously written several valuable works on diplomatic history, and who served as a diplomat in the East, at Berlin, Rome, and in Greece has now brought out an interesting volume, *Souvenirs et Causeries d'un Diplomate* (Paris, Plon), which contains *inter alia* an account of the Berlin Congress.

M. Gaston May, professor in the University of Paris, has published an elaborate work on *Le Traité de Francfort: Étude d'Histoire Diplomatique et de Droit International* (Paris, Berger-Levrault, pp. 360).

A collection of treaties, conventions, acts of concession, and other documents relative to Ethiopia, with explanatory notes by Carlo Rossetti, is being issued by the Società Tipografica Editrice Nazionale, Turin, under the title *Storia Diplomatica dell'Etiopia durante il Regno di Menelik II.*

La Guerre Russo-Japonaise et la Neutralité, by M. Louis Bon (Montpellier, 1909, pp. 256), discusses historically and from the point of view of international law the various conduct of the English, the French, and other neutrals in respect to the recent war between Russia and Japan.

The fourth part of the British *Official History of the Russo-Japanese War*, prepared by the Historical Section of the Committee of Imperial Defence (London, Wyman), relates the story of the battle of Liao-Yang.

Documentary publications: A. F. Fuchs, *Briefe an den Feldmarschall Raimund Grafen Montecuccoli: Beiträge zur Geschichte des Nordischen Kriegs in den J. 1659–1660* (Vienna, Stern, 1910, pp. xxvii, 290) [Veröffentlichungen der Gesellschaft für Neuere Geschichte Österreichs, II.]; L. Raschdau, *Die Botschafterkonferenz in Konstantinopel und der Russisch-Türkische Krieg, 1877–1878*, III. [from the literary remains of Dr. Busch] (Deutsche Rundschau, December).

Noteworthy articles in periodicals: L. Cardauns, *Zur Geschichte Karls V. in den Jahren 1536–1538*, Beilagen (Quellen und Forschungen, XII. 2); *Pitt and the Triple Alliance, 1788–1791* (Edinburgh Review, January); H. Salomon, *De Quelques Livres et de Quelques Questions d'Histoire Contemporaine*, I. (Revue de Synthèse Historique, October).

GREAT BRITAIN AND IRELAND

The Victoria County History (London, Constable) will comprise three volumes on London, including the borough of Southwark and the ancient parish of Westminster. The first volume, edited by William Page, contains sections on Romano-British London, the Anglo-Saxon remains of London, and the ecclesiastical history of the city from 604 to 1907, including a section on Nonconformity.

A volume of *Original Illustrations of English Constitutional History*, selected by Professor D. J. Medley, and comprising charters and statutes, annotated with extracts from other original material, has been published by Messrs. Methuen.

The late Mr. J. W. Welsford, whose book on *The Strength of Nations* was reviewed in an earlier number of this journal (XIII. 347–349), left a work which Longmans have published under the title *The Strength of England: a Politico-Economic History of England from Saxon Times to the Reign of Charles the First*. Archdeacon William Cunningham has contributed an introduction.

The Great Roll of the Pipe for the Twenty-seventh Year of the Reign of King Henry the Second, A. D. 1180–1181 [Publications of the Pipe Roll Society, volume XXX.] (London, The St. Catherine Press, 1909, pp. xxx, 201) contains, as usual, an introduction by Mr. J. H. Round, who comments upon the importance of the entries relating to the new coinage, in the making of which ten mints were employed; upon the receipts from the escheated demesne manors of Henry of Essex, which show a large increase in value during the century since Domesday; and upon building operations, purchases and prices, feudal incidents, and some other matters on which the roll throws light.

The Rev. Dr. Cox has contributed a volume on *The Parish Registers of England* to the series of *Antiquary's Books* (Methuen).

Under the title *Bardon Papers*, a volume of documents relating to

the imprisonment and trial of Mary, Queen of Scots, has been edited for the Royal Historical Society by Conyers Read, with a prefatory note by Charles Cotton.

Messrs. Longmans announce two new volumes, completing the *Political History of England*, edited by the Rev. William Hunt and Dr. R. L. Poole—the sixth volume, extending from the accession of Edward VI. to the death of Elizabeth, by A. F. Pollard, and the eighth volume, from the Restoration to the death of William III., by Richard Lodge.

The only extant detailed argument for the Union of England and Scotland presented from the Scottish side, in the time of James I., was written in 1605 by Sir Thomas Craig, one of the Scottish commissioners. Under the title, *De Unione Regnum Britanniae Tractatus*, the Latin text has been edited with a translation and notes by C. S. Terry, and printed for the Scottish History Society (Edinburgh, pp. xii, 497).

Macaulay's famous chapter on the state of England in 1685 has been edited with an introduction and statistical notes by Professor A. L. Bowley, who contrasts conditions existing in 1685 and 1848 with those of the present. The book is issued by the Cambridge University Press (pp. viii, 171).

A memoir, with extracts from the diary and correspondence, of Gathorne Hardy, first earl of Cranbrook, edited by the Hon. A. E. Gathorne-Hardy, is being published by Longmans in two volumes.

Messrs. Longmans's announcements include a two-volume *History of Wales from the Earliest Times to the Edwardian Conquest*, by Professor J. Edward Lloyd, of the University College of North Wales. Special sections are devoted to the history of the Welsh church, and the relations between England and Wales are traced.

Dr. David Hay Fleming, honorary secretary of the Scottish History Society, prints the Stone lectures which he delivered at Princeton Theological Seminary during the year 1907-1908, in a volume entitled *The Reformation in Scotland: Causes, Characteristics, Consequences* (London, Hodder and Stoughton, 1910, pp. xvi, 666).

Mr. H. F. B. Wheeler and Mr. A. M. Broadley have collaborated in a work entitled *The War in Wexford: an Account of the Rebellion in the South of Ireland in 1798* (London, Lane). Use has been made of much recently discovered unpublished material, including the correspondence of Arthur, first earl of Mount Norris.

Mr. F. Hugh O'Donnell, sometime member of Parliament, is publishing through Longmans a two-volume *History of the Irish Parliamentary Party from 1870 to 1890*, containing much new matter of importance.

The Rise of South Africa: a History of the Origin of South African Colonization and of its Development towards the East from the Earliest Times to 1857, by Professor G. E. Cory, of Rhodes University College, Grahamstown, is drawn from unpublished documents in the archives of the Houses of Parliament in Cape Town, and the Civil Commissioner's Office in Grahamstown, and includes much private correspondence of Colonel John Graham, the founder of Grahamstown, and information gathered by Professor Cory in interviews with old inhabitants. The work will be completed in four volumes, of which the first, recently issued by Longmans, comes down to the year 1820.

British government publications: *Calendar of Close Rolls*, Edward III., vol. XI., 1360-1364; *Calendar of Patent Rolls*, Henry VI., vol. V., 1446-1452; *Calendar of State Papers, Venice, etc.*, XV., 1617-1619; *Index of Inquisitions*, IV., Charles I. and Later, with appendixes; *Lists and Indexes*, No. 32, parts I. and II.; *Reports of the Historical MSS. Commission*, on the manuscripts of Miss M. Eyre Matcham, Captain H. V. Knox, Cornwallis Wykeham-Martin, Esq., etc.

Noteworthy articles in periodicals: *The National Archives* (Quarterly Review, January); C. L. Kingsford, *The Early Biographies of Henry V.* (English Historical Review, January); R. Ancl, *La Réconciliation de l'Angleterre avec le Saint-Siège sous Marie Tudor: Légation du Cardinal Polus en Angleterre (1553-1554)*, concl. (*Revue d'Histoire Ecclésiastique*, October); John Dowden, *The Scottish Crown and the Episcopate in the Medieval Period* (*Scottish Historical Review*, January).

FRANCE

The Archives of the Ministry of the Colonies, to 1789, have in the main been transferred to the Archives Nationales.

M. Gabriel Monod's *Bibliographie de l'Histoire de France*, which was published in 1888, is being recast by a number of well-known specialists and will be issued by Hachette in four fascicles, of which the first two, dealing respectively with generalities and origins, and with the Middle Ages, will be jointly edited by MM. H. Stein and R. Poupartin; the third, devoted to the sixteenth, seventeenth, and eighteenth centuries, will be edited by M. L.-G. Pélassier, and the fourth, extending from 1789 to the present, by M. Pierre Caron.

Albert Vogt, honorary librarian of the University of Freiburg, Switzerland, is the editor of the new periodical, *Revue d'Histoire de l'Église de France* (Paris, Letouzey), which will publish articles, documents, inventories of documents, etc., relating to the general or local ecclesiastical history of France, and of dioceses that formerly belonged to it. It is intended that this material shall aid in an entire recasting of the *Gallia Christiana*, and the future issue of a series of volumes on the history of each diocese.

M. Camille Jullian of the Institute continues his masterly *Histoire de la Gaule* (Paris, Hachette) in a third volume on the Roman conquest and the first Germanic invasions. The author, who in person has visited all the battlefields and followed the course of all of Caesar's marches, has corrected various errors of earlier historians. He has in preparation three additional volumes dealing with Roman Gaul.

L. Delisle's *Recueil des Actes de Henri II., Roi d'Angleterre et Duc de Normandie, concernant les Provinces Françaises et les Affaires de France* (Paris, Klincksieck, pp. xix, 570), has been issued in the series of *Chartes et Diplômes relatifs à l'Histoire de France*, published by the Academy of Inscriptions and Belles-Lettres under the direction of M. H. d'Arbois de Jubainville.

The third volume of Colonel Borelli de Serres's *Recherches sur divers Services Publics du XIII^e au XVII^e Siècle* (Paris, Picard, pp. 587) relates chiefly to the fourteenth and fifteenth centuries and treats of the following topics: Le Trésor Royal, de Philippe IV. à Philippe VI.; Officiers des Finances de Philippe IV. à François I^r; Les Plus Anciens Présidents au Parlement; Notes sur Quelques-uns des Gens de Finances; Les Feux dans le Languedoc; Trois Hypothèses sur les Variations Monétaires; La Date de l'Estat des Offices.

The Société des Recherches Historiques de Vaucluse has begun the publication of a series entitled *Recherches Historiques et Documents sur Avignon, le Comtat Venaissin et la Principauté d'Orange*, to be published in Paris by Honoré Champion. The first issue (pp. 223) is a documentary history of the temporal court of Avignon in the fourteenth and fifteenth centuries, by MM. Joseph Girard and P. Pansier; the second (pp. 171) is a study, by Dr. Maurice Falque, of the legal contests relating to jurisdiction over the Rhone, its banks and bridges, which arose by reason of the anomalous position of Avignon as a foreign enclave in French soil (1302-1818).

L'Invasion de la France et le Siège de Saint-Dizier par Charles-Quint en 1544, by A. Rozet and J. F. Lembe (Paris, Plon), is founded on the unpublished Italian despatches of Francesco d'Este, Hieronymo Ferufino, Camillo Capilupo, and Bernardo Navager.

The fourth volume of M. Charles de la Roncière's *Histoire de la Marine Française* (Paris, Plon) will be of especial interest to students of American history, since it is concerned with Richelieu and the quest for colonial empire.

The subject of the Lothian Essay for 1908 is *The Duke de Choiseul*, by R. H. Soltau (Oxford, Blackwell, 1909, pp. 184).

A translation by Bernard Miall of the third French edition of M. Aulard's *The French Revolution: a Political History*, will be issued by Mr. Fisher Unwin in four volumes.

A second series of *Épisodes et Portraits*, by M. Arthur Chuquet (Paris, Champion, 1910, pp. 235), consists of fifteen essays, mostly à propos of recent historical publications. The topics discussed refer to the period of the Revolution and of Napoleon, and, in addition, to Primi Visconti, a portrait of Frederick II., Metternich and Madame de Lieven, and Froeschwiller.

Professor Aulard's *Études et Leçons sur la Révolution Française*, sixth series (Paris, Alcan), treats of the following topics: The device "Liberty, Equality, Fraternity"; the first historians of the French Revolution; Literary portraits: Beaumarchais, Abbé Barbotin, Robert Rhum; Primary instruction in the Haute-Garonne; the Memoirs of the Marquise de la Rochejaquelein and of Barras.

M. C. Latreille, whose book on *Joseph de Maistre et la Papauté* was crowned by the French Academy, studies the opposition of a large part of the French episcopate to the Concordat in his two new volumes, *L'Opposition Religieuse au Concordat de 1792 à 1803*, and *Après le Concordat: L'Opposition de 1803 jusqu'à nos Jours* (Paris, Hachette).

M. Frédéric Masson's new volume *Sur Napoléon* (Paris, Ollendorff, pp. x, 291) comprises eight lectures.

R. Pierre Marcel's *Essai Politique sur Alexis de Tocqueville*, which includes a large number of unpublished documents, is issued in Alcan's *Bibliothèque d'Histoire Contemporaine*.

The commission on the diplomatic history of the war of 1870-1871, previously referred to in these pages (XII. 949; XIV. 652), has completed its first two volumes, which relate to the preliminaries of the Conference of London, from December 25, 1863, and to the conference itself. The series will be published by the Ministry of Foreign Affairs, through the house of Ficker, and in the same format as the thirty-two volume edition of the *Correspondance de Napoléon*.

Gambetta: Life and Letters, by P. B. Gheusi (Unwin, 1910, pp. 366), is an authorized translation by Violette M. Montagu of the French work recently noted in these pages (XIV. 876).

Documentary publications: René Ancel, *Nonciatures de France: Nonciatures de Paul IV.* (with the last year of Julius III. and Marcellus II.), I. *Nonciatures de Sebastiano Gualterio et de Cesare Brancatio* (May, 1554-July, 1557), part I. (Paris, Lecoffre); P. Moulin, *Bouches-du-Rhône, Documents relatifs à la Vente des Biens Nationaux*, II. (Marseilles, 1909, pp. 674) [Collection de Documents Inédits sur l'Histoire Économique de la Révolution Française]; F. A. Aulard, *Recueil des Actes du Comité de Salut Public*, XIX., December 21, 1794-January 31, 1795; A. Keller, *Correspondance, Bulletins et Ordres du Jour de Napoléon*, III., *Campagne d'Italie* (Paris, Méricant).

Noteworthy articles in periodicals: H. Prentout, *Les Régions de la*

France: *La Normandie*, II. (Revue de Synthèse Historique, October); G. Espinas, *La Commune de Soissons et son Origine, d'après un Livre Récent* [an extended critical review of G. Bourgin's work] (Le Moyen Age, September–October); Constance H. M. Archibald, *The Serfs of Sainte-Geneviève* (English Historical Review, January); Louis Batifol, *Louis XIII. et le Duc de Luynes*, II. (Revue Historique, January–February); Ch. Bournisien, *Conséquences Économiques et Sociales de la Vente des Biens Nationaux* (Revue des Questions Historiques, January); L. de Lanzac de Laborie, *Les Débuts de la Banque de France (1800–1813)*, d'après des Documents Inédits (*ibid.*); Sir C. W. Dilke, *Before and after the Descent from Elba* (Quarterly Review, January); *L'Empire Libéral* (Edinburgh Review, January); P.-R. Mautouchet, *Les Comités Départementaux d'Histoire Économique de la Révolution et les Études d'Histoire Moderne* (Revue d'Histoire Moderne et Contemporaine, November–December).

ITALY

The school of palaeography, diplomatic, and archive learning has been opened at Rome in the new quarters of the State Archives in the Piazza del Gesù. Professor Ovidi delivered the opening address on the public archives of Rome in relation to the history of Rome, and their modern functions.

Giuseppe Tomassetti has brought out through Loescher, Rome, the first of three volumes which he is dedicating to the ancient, medieval, and modern history of *La Campagna Romana*.

The veteran Professor Pasquale Villari, after nine years, now adds to his *Le Invasioni Barbariche in Italia* a further volume, bringing the story of Italy for the general reader down to Dante's time, *L'Italia da Carlo Magno alla Morte di Arrigo VII.* (Milan, Hoepli).

Giuseppe Prato, author of an excellent work on *La Vita Economica in Piemonte a mezzo il Secolo XVIII.* (Turin, 1908), has now brought out a study of *L'Evoluzione Agricola nel Secolo XVIII. e le Cause Economiche dei Moti del 1792–98 in Piemonte* (Turin, 1909, pp. 74), which is of much interest in itself, and as affording a basis of comparison with pre-revolutionary agrarian conditions in other countries.

Professor M. Schipa's book *Contese Sociali Napoletane nel Medio Evo* (Naples, Pierro, 1908, pp. 360), an account of the condition, conflicts, and compromises of the various social classes in medieval Naples, was first published in the *Archivio Storico Napoletano*.

The first history of medieval Sardinia to meet the requirements of modern scholarship is Enrico Besta's two-volume work, *La Sardegna Mediocviale* (Palermo, Reber). The first volume treats of political changes from 450 to 1326; the second volume, of political, economic, juridical, and social institutions.

From unpublished documents in the state archives of Naples, Romualdo Trifone has written an excellent account of *Le Giunte di Stato a Napoli nel Secolo XVIII.*, (Naples, Jovene, 1909, pp. xv, 240). The Giunte were extraordinary commissions, appointed from time to time by the sovereign of the Two Sicilies to take cognizance of purely political affairs, and in some instances acted as revolutionary tribunals.

The December number of the *Revue de Synthèse Historique* is devoted to modern Italy. Among its contents are articles on philosophy, poetry, and the novel in contemporary Italy; an article on the sociological movement in Italy by Gaston Richard; notes on the social and political situation of contemporary Italy, by P. Ronzy; notes on the problems of public instruction in Italy; and a general review, nearly forty pages in length, of the materials for the history of Italy during the period of the Risorgimento, by G. Bourgin.

Pagine Garibaldine (Turin, Bocca, 1909, pp. xx, 375), published by Gualtiero Castellini as the second number in the *Biblioteca di Storia Contemporanea*, contains many unpublished documents—the diary, notes, and letters of Major Nicostrato Castellini, and letters by Mazzini, Garibaldi, G. Medici, and Laura Solera Mantegazza.

Noteworthy articles in periodicals: F. Schneider, *Toscanische Studien*, IV. (Quellen und Forschungen, XII. 2); W. Lenel, *Die Epochen der älteren Venezianischen Geschichte* (Historische Zeitschrift, CIV. 2); Lorenzo de' Medici (Edinburgh Review, January).

GERMANY, AUSTRIA, AND SWITZERLAND

Deutschlands Gaue im Zehnten Jahrhundert nach den Königsurkunden (Göttingen, Dieterich, 1908, pp. 40, 6), a dissertation by O. Curs, contains an elaborate map of the *Gaue* about the year 1000 constructed from the *diplomata* of the Saxon emperors and kings; an alphabetical list of *Gaue*, with references to the cities, towns, and religious houses, the counts, and the immunities, mentioned in the *diplomata* in connection with the separate *Gaue*; and a discussion, in the light of this material, of several questions concerning the geography and administration of the *Gau*.

The twelfth volume of Felix Dahn's *Die Könige der Germanen: Das Wesen des ältesten Königtums der Germanischen Stämme und seine Geschichte bis zur Auflösung des Karolingischen Reiches* (Breitkopf and Härtel, Leipzig) treats of the Lombards, and concludes a work begun by the author some fifty years ago.

The fourth heft in the *Beiträge zur Kulturgeschichte des Mittelalters und der Renaissance*, edited by Dr. Walter Goetz (Leipzig, Teubner), is *Über Naturgefühl in Deutschland im 10. und 11. Jahrhundert*, by Dr. Gertrud Stockmayer (1910, pp. iv, 86).

In the fourteenth heft of the *Leipziger Historische Abhandlungen*, edited by Professors Brandenburg, Seeliger, and Wilken, Dr. Otto Goldhardt discusses *Die Gerichtsbarkeit in den Dörfern des Mittelalterlichen Hennegauens* (Leipzig, Quelle and Meyer, 1909, pp. 62). The fifteenth heft of the same series is a monograph of unusual interest, *Die Deutsche Presse und die Entwicklung der Deutschen Frage, 1864-66*, by Dr. Otto Bandmann (1910, pp. 193).

In the sixth heft in the *Forschungen zur Inneren Geschichte Österreichs*, edited by Professor Dopsch (Innsbruck, Wagner), Dr. T. Mayer treats of *Der Auswärtige Handel des Herzogtums Österreich im Mittelalter* (1909, pp. x, 200).

A valuable source, not only for religious history but for the history of civilization during the period of the Reformation, has been made accessible by the publication of *Kilian Leibs Briefwechsel und Diarien* (Munster, Aschendorff, 1909, pp. xxxvi, 156), edited by J. Schlecht as the seventh fascicle in the *Reformationsgeschichtliche Studien und Texte*.

A remarkable discovery has been made in the library of the Lutheran Theological Seminary (Krauth Memorial Library) at Mt. Airy, Pennsylvania. From the estate of a German-American lady the library has recently received a copy of Luther's *Sommerpostille* (1543-1544), at the end of which was found, in manuscript, what appears with certainty to be a strictly contemporary narrative of Luther's death and burial, written by an eye-witness whom the leading Luther experts in Germany declare to have been without question Hans Albrecht, town scrivener of Eisleben, in whose house Luther lived and died.

Ostfrieslands Handel und Schiffahrt im 16. Jahrhundert (Berlin, Curtius, 1910, pp. xxiv, 370) is the third volume in the series of *Abhandlungen zur Verkehrs- und Seegeschichte*, edited by D. Schäfer for the *Hansische Geschichtsverein*.

The second volume of Professor Oskar Jäger's *Deutsche Geschichte* (Munich, Beck, 1910, pp. 690) extends from the peace of Westphalia to the present.

Die Europäische Politik des Grossen Kurfürsten, 1667-1688 (Leipzig, Quelle and Meyer, 1910, pp. 32), is the subject of a study by Ferdinand Fehling, privat-docent in the University of Heidelberg.

The first volume of *Bismarck: eine Biographie* (Stuttgart, Cotta), by Professor Erich Marcks, of the Hamburg Scientific Institute, is partly drawn from private papers in the family archives, and treats with exceptional fullness the period from 1815 to 1848.

Professor Karl Lamprecht's *Deutsche Geschichte* (Berlin, Weidmann) is brought to a conclusion by the issue of the second half of the eleventh volume, dealing with the *Klein-Deutschen Lösung der Einheitsfrage* and with the *Kulturkampf*, and of the twelfth volume, which

contains an appendix *Über Individualität und Verständnis für dieselbe im Mittelalter*, and a bibliography and general index.

W. von Demelie issues through Stern (Vienna) a German translation of *Kaiser Joseph II.: seine Politische und Kulturelle Tätigkeit*, by P. Mitrofanou, professor of history in St. Petersburg.

The Senate has printed (61 Cong., 2 sess., Doc. no. 279, pp. 38) a message of President Taylor, dated March 28, 1850, transmitting letters of 1849 and 1850 from A. Dudley Mann, whom Taylor had appointed as special agent in Hungary. Though Mann was not an observer of extraordinary gifts, his letters respecting the Hungarian situation are interesting and in a certain degree valuable.

Noteworthy articles in periodicals: V. Kybal, *Étude sur les Origines du Mouvement Hussite en Bohême: Matthias de Janov* (Revue Historique, January–February); Kl. Löffler, *Heinrich von Ahaus, und die Brüder vom Gemeinsamen Leben in Deutschland* (Historisches Jahrbuch, XXX. 4); Paul van Dyke, *A Captain of Industry of the Sixteenth Century* (Harpers, January); E. Spranger, *Philosophie und Pädagogik der Preussischen Reformzeit* (Historische Zeitschrift, CIV. 2); R. Hoeniger, *Der Dreissigjährige Krieg und die Deutsche Kultur* (Preussische Jahrbücher, December); O. H. Richardson, *Religious Toleration under the Great Elector and its Material Results* (English Historical Review, January); E. Gothein, *Bismarck's Jugend* (Historische Zeitschrift, CIV. 2); W. S. Lilly, *Democracy in Switzerland* (Quarterly Review, January).

NETHERLANDS AND BELGIUM

Professor G. Kurth, whose earlier writings include a book on *Les Origines de la Ville de Liège*, has published a work in three volumes, *La Cité de Liège au Moyen-Age* (Paris, Picard).

The first part of Albert Elkan's detailed biography of *Philipp Marnix von St. Aldegonde* (Leipzig, Dyk, 1910, pp. x, 143) treats of the youth of the brothers John and Philip von Marnix, down to the year 1565.

Dr. H. T. Colenbrander has brought out the second volume of a work published by the Royal Historical Commission of the Netherlands, *Ontstaan der Grondwet* (Hague, Nijhoff, 1908, pp. cxxii, 662), containing documents relating to the constitution of the year 1815. Other volumes recently published by this commission are *Relazioni Veneziane*, relations of Venetian ambassadors concerning the United Netherlands from 1600 to 1795, and the second volume of the *Acta der Particuliere Synoden van Zuid-Holland, 1621–1770*, covering the years 1634–1645.

Of the two new volumes in the *Archives ou Correspondance Inédite de la Maison d'Orange-Nassau*, the third volume of the third series, edited by Professor F. J. L. Kraemer (Leyden, Sijthoff, 1909, pp. xxxi, 709), contains 245 letters exchanged between William III. and the

Grand Pensionary Heinsius during the years 1700–1702; and the second volume of the fourth series, edited by Professor Th. Bussemaker (1909, pp. xli, 671), contains 240 documents, dating from September, 1749, to the end of 1755, and relating especially to the activities of the Earl of Portland, William Bentinck.

Documentary publications: V. Brants, *Liste Chronologique [provisoire] des Édits et Ordonnances des Pays-Bas: Règnes de Philippe IV. et de Charles II. (1621–1700)* (Brussels, Goemaere, 1909, pp. vii, 236); N. Japikse, *Brieven van Johan de Witt*, II. [January 12, 1657–December 19, 1664] (Amsterdam, Müller, 1909, pp. xix, 649).

NORTHERN AND EASTERN EUROPE

The January number of the *Bulletin* of the New York Public Library is mainly occupied by a list of works relating to the Near Eastern Question and the Balkan States.

A society for Byzantine studies, organized at Athens in the spring of last year, is publishing, with the collaboration of the principal specialists, a quarterly entitled *Byzantis*. Articles may be in the Greek, French, German, English, Italian or Latin languages, and should be sent to Michael Goudas, 5^a rue Béranger, Athens.

Die Altslawische Wohnung (Brunswick, Vieweg, 1910, pp. 431), the first book of the third volume of K. Rhamm's *Ethnographische Beiträge zur Germanisch-Slavischen Altertumskunde*, is primarily addressed to the ethnographer. The author's hypothesis is that the old Slavic *Bauernhof*, as it can be traced back to a time earlier than the Wanderings, has been fashioned after or at least modified by Germanic models.

THE FAR EAST AND INDIA

The Japanese government has instituted a Committee for the Printing of Historical Documents and has entrusted to it all the documents pertaining to foreign relations of the earlier period, hitherto kept in the archives of the Foreign Office. It is expected that the first volume, respecting relations with the Western powers, will be published in May or June.

The transformation of Japan during the period 1870–1910 is dealt with in the fifth volume of the Marquis de la Mazelière's work, *Le Japon, Histoire et Civilisation* (Paris, Plon).

Researches on Ptolemy's Geography of Eastern Asia, the first volume of the Royal Asiatic Society monographs (pp. xxii, 945), is an exhaustive work by Colonel G. E. Gerini, relating to Further India and the Indo-Malay Peninsula.

A Histoire de la Cochinchine Française des Origines à 1883, by M. P. Cultru of the University of Paris, has been published by Challamel, Paris.

L'Île de Java sous la Domination Française (Paris, Champion, pp. xiii, 558) is an essay on the colonial policy of the old monarchy and the Empire in the Malay archipelago, by O.-J.-A. Collet.

Bactria, from the earliest times to the extinction of Bactrian-Greek rule in the Punjab, is the subject of the Hare University prize essay of 1908, by Professor H. G. Rawlinson of Deccan College, Poona (Bombay, *Times of India* Office, pp. xii, 150).

Of the two volumes entitled *Selections from the State Papers of the Governors-General of India*, edited by G. W. Forrest (Oxford, Blackwell, pp. xx, 323, 348), the first volume is occupied by the introduction, the second volume by the documents.

The Turning Point of the Indian Mutiny, a work by Giberne Sieveking, containing hitherto unpublished documents and portraits, will be issued by Mr. D. Nutt, London.

Noteworthy articles in periodicals: F. N. Finek, *Die Wanderungen der Polynesier nach dem Zeugnis ihrer Sprachen* (Nachrichten von der Königlichen Gesellschaft der Wissenschaften zu Göttingen, Phil.-hist. Kl., 1909, 3).

AMERICA

GENERAL ITEMS

The Department of Historical Research in the Carnegie Institution of Washington has been delayed in the passing through the press of Dr. James A. Robertson's *List of Documents in Spanish Archives relating to the History of the United States, which have been Printed, or of which Transcripts are Preserved in American Libraries*, because of Dr. Robertson's departure in January for Manila. It is hoped, however, that the book may be brought out before the end of the spring. Dr. Burnett has been completing his search for letters of delegates to the Continental Congress in New York, New Jersey, and Pennsylvania. Mr. Leland goes to Paris at the end of the present month, to complete the collecting of materials for his Guide to the Materials for American History in the Archives of Paris. The Department has printed for private distribution a *List of Doctoral Dissertations now in Progress*, similar to that which the Director has annually issued since 1897, but enlarged in this issue by the addition of a list of all dissertations announced in previous lists (and in the case of some universities all dissertations) which have been put into print.

Writings on American History, 1908, edited by Miss Grace G. Griffin, the third volume in the present series of these annual bibliographies, will be published by the Macmillan Company early in May, as a volume of about 170 pages, giving indication of more than 3000 books, pamphlets, and articles.

The *Annual Report of the Librarian of Congress for the Fiscal Year ending June 30, 1909*, notes among accessions the Burton Harrison collection, the private diary kept by Hon. William B. Reed during his mission to China in 1857-1859, the letter-books and log-books of Admiral Sir George Cockburn, in fifty-four volumes, the papers of John Leeds Bozman, and various transfers from the executive departments in Washington. It is announced that the Calendar of the Military Correspondence of General Washington during the Revolution will probably be ready for publication before the close of the next fiscal year, and that calendars of the Van Buren, Jackson, John Fitch, and New Mexico papers are in progress. More than eighty volumes of transcripts from manuscripts in the British Museum and Public Record Office are listed as having been added; most of them are from the Hardwicke manuscripts and the military papers of the Revolutionary period at the Public Record Office.

The National Monetary Commission is issuing a series of publications, several of which are of interest to students of financial history. Among these is a new edition of Mr. R. M. Breckenridge's *History of Banking in Canada*, and a translation of the volume on the German Reichsbank, 1876-1900, which that bank put forth on occasion of its twenty-fifth anniversary; also volumes giving financial and other economic statistics of each of the chief countries for the last forty years. Most of the volumes are small, from one hundred to two hundred pages. We note especially a compilation of the *Laws of the United States concerning Money, Banking, and Loans, 1789-1910*, by Mr. A. T. Huntington, chief of the Division of Loans and Currency in the Treasury Department; the *First Bank of the United States*, by Professor J. T. Holdsworth; the *Second Bank of the United States*, by Professor Davis R. Dewey; the *History of State Banks before the Civil War*, by the same; *The Safety-Fund Banking System in New York State from 1829 to 1886*, by Dr. Robert E. Chaddock; *The Origin of the National Banking System*, by Mr. Andrew McF. Davis; *The History of Crises under the National Banking System*, by Dr. O. M. W. Sprague; *The History of the National Bank Currency*, by Mr. A. D. Noyes; *The Development of the Independent Treasury System*, by Dr. David Kinley; *A History of Banking in England*, by Mr. H. S. Foxwell; the *Evolution of Credit and Banks in France*, by Professor André Liesse; *The History and Methods of the Paris Bourse*, by Mr. E. Vidal; and the *Development of the German Banking System*, by Mr. Robert Franz.

The third and fourth volumes of the *Documentary History of American Industrial Society* (Cleveland, The Arthur H. Clark Company) have now appeared. They are occupied with the labor conspiracy cases of 1806-1842, and are edited by Professors John R. Commons and Eugene A. Gilmore.

The fourth volume (R to Z) of Bradford's *Bibliographer's Manual*

of American History, revised by Stan V. Henkels, has come from the press.

The eighth *Year Book* of the Carnegie Institution contains, in the report of the Department of Economics and Sociology, a fuller and more explicit report than has ever heretofore been made concerning the progress and status of its *Contributions to the Economic History of the United States*.

Moore's History of the States, United and Otherwise, by Judge Charles F. Moore (New York and Washington, the Neale Publishing Company, 1909, pp. 283), is not to be taken seriously.

An Encyclopedia of American Government, in about three volumes, is to be prepared under the joint editorship of Professor Albert Bushnell Hart and Professor Andrew C. McLaughlin.

The *Proceedings of the American Antiquarian Society* for October, 1909, contains a full account of the whole career of Dr. John Connolly, by Mr. Clarence M. Burton, a history of the presidential campaign of 1844, by Mr. Worthington C. Ford, and the journal of Sir William Pepperrell kept during the expedition against Louisbourg in 1745. This document is carefully edited, from the original manuscript in the possession of the society, by Mr. C. H. Lincoln.

Among the articles in the *Journal of American History*, vol. III., no. 4, are: "Adventures of First White Settlers in the Mississippi Valley", by Dan E. Clark; "Evolution of the Mason-Dixon Line", by Morgan P. Robinson; and "Political Warfare in Early Kansas", by Wilbur C. Abbott. "Experiences of a Louisiana Planter", by Eliza C. Rice, is an account of a Liberian experiment in 1851 by the writer's father. Under the title "Private Letters of a Government Official in the Southwest", are printed some letters of John Greiner, who was Indian agent in New Mexico in 1851, and in 1852 became governor of the territory. The letters are concerned mainly with Greiner's experiences as an official. Items from General Washington's order book printed in this issue are dated September 26, 27, and 28, 1776. In the latest issue of the *Journal* (vol. IV., no. 1) Mr. J. L. Sexton, using the misleading title "Origin of Great Wealth in America: Development of Natural Resources", gives some account of industrial development in the western parts of Pennsylvania and New York, while J. T. Watson describes some "Experiences of the French Huguenots in America", and W. S. Dungan gives an account of the Lancaster Convention of June, 1776, entitling his article "First Declaration of Independence in America". The memoirs of John Moore, a New York Loyalist, pertain chiefly to family history but contain some matter of larger interest. The *Journal* also reprints an incomplete copy of the Rev. William Gordon's letter, May 17, 1775, describing the commencement of hostilities between Great Britain and America. One cannot help admiring the pains taken

by the contributor in transcribing the text from an ancient almanac, but must lament the fact that the editor did not use a better and completer text, such as might have been found in Force's *Archives*.

Mr. C. O. Paullin contributes to the December number of *Americana* an article upon the "First Naval Voyage to our West Coast", a voyage made by Captain James Biddle in the sloop of war *Ontario* in 1817-1818. Other articles in this issue are "Gladstone and America", by Lindsay Rogers; a rehearsal of "The Story of Champlain and his Discoveries", by Lina A. Britton; the conclusion of Andrew M. Sherman's "Civil War Reminiscences"; and a continuation of Brigham H. Roberts's "History of the Mormon Church".

The October number of the *American Catholic Historical Researches* prints Joseph Galloway's report (March 4, 1778) to the Earl of Dartmouth upon the condition of Washington's army, and a translation of the circular letter addressed by John R. Williams in 1823 to Father Gabriel Richard protesting against his candidacy as a delegate to Congress. The pages of this issue of the *Researches* contain many incisive corrections of historical errors, old and new. The January number of the *Researches* is devoted entirely to a record of the career in the American Revolution of General Count Casimir Pulaski. The editor, Martin I. J. Griffin, has brought together from various sources, unpublished as well as printed, much material relating to Pulaski, which he has arranged so as to tell the story of the count's career without much comment from the editor's pen. The manuscript materials are drawn principally from the Library of Congress and from repositories in Philadelphia, but the record might be increased considerably from other sources. The designation of references is somewhat unsystematic and is likely at times to be puzzling.

Father Thomas Hughes's *History of the Society of Jesus in North America* (Longmans) is continued by the issue of the second part of the first volume of *Documents*, containing documents 141-224 (1605-1838).

Doubleday, Page, and Company have published *The Story of the Negro: the Rise of the Race from Slavery*, in two volumes, by Booker T. Washington.

The Neale Publishing Company have brought out a volume of the addresses delivered upon various occasions by Judge Emory Speer, since 1885 United States judge for the southern district of Georgia, and for many years dean of the Law School of Mercer University. The volume bears the title *Lincoln, Lee, Grant, and other Biographical Addresses*, and includes addresses on Oglethorpe, Hamilton, Marshall, and Joseph E. Brown.

Miss Susan W. Peabody's *An Historical Study of Legislation regarding Public Health in the States of New York and Massachusetts* (Chicago, 1909, pp. 158) is published as a supplement to the *Journal of*

Infectious Diseases. Some account of other American legislation on the subject is also given.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

Notes on the Plants of Wineland the Good, by M. L. Fernald, is reprinted from *Rhodora*, vol. XII., no. 134 (pp. 22). The conclusions reached by the author are that the three plants which have been most depended upon in attempts to locate Wineland the Good are the mountain cranberry or possibly one of the native currants, the strand wheat, and the canoe birch, whose area of greatest abundance is from the lower St. Lawrence River northward along the coast of Labrador. A more extended work on this subject is in preparation by the author.

The Discoveries made by Pedraluarez Cabral and his Captains: an Attempt to harmonise the Narrations of the Voyage set forth by Barros and by Correa, by J. R. McClymont (printed at Hobart, Tasmania, for the author, pp. 16), is an essay not strictly confined to the limits suggested by the second half of the title.

Explorers in the New World, by M. M. Mulhall, has been issued in this country by Longmans, Green, and Company.

The Story of the Pilgrim Fathers, by F. J. C. Hearnshaw, is a reprint of articles which appeared last summer in the Southampton (England) *Times*, the purpose of which was to show the connection of the Pilgrims with Southampton and to promote the interests of the projected tercentenary memorial.

Mr. Champlin Burrage, who has spent the last six years in research-work in England with reference to early Nonconformist history, and during this time has discovered several hitherto unknown manuscripts of Robert Browne, the father of English Congregationalism, has now discovered a hitherto unknown writing of John Robinson, pastor of the Pilgrim church at Leyden, which throws considerable light upon the earlier part of Robinson's career. Mr. Burrage has prepared the manuscript for publication, with proper introduction and apparatus.

The New England Historic and Genealogical Society has deposited the papers of Henry Knox, in fifty-five volumes, in the library of the Massachusetts Historical Society.

As this journal may seem to have committed itself to approval of Buell's *Life of John Paul Jones* by a favorable review at the time of its publication (VI. 589-591) it is proper to call attention, though tardily, to Mr. Junius Davis's pamphlet, *Some Facts about John Paul Jones* (Raleigh, pp. 36), reprinted from the *South Atlantic Quarterly*, IV., V.; also to Dr. C. O. Paulhin's criticism of the book, entitled "When was our Navy Founded?" in the *United States Naval Institute Proceedings*, vol. XXXVI., no. 1.

The first of a series of monographs upon "The Attitude of Congress toward the Pioneers of the West", projected by the *Iowa Journal of History and Politics*, occupies the January number of that journal and relates to Congressional attitude during the period from 1789 to 1820 toward the pioneers and the public lands, territorial government in the West, national defense and frontier protection, and internal improvements in the West. The author is Kenneth W. Colgrove. Such an array of expression is enlightening; yet it is believed that a better understanding of the subject might have been reached through a preliminary study of the attitude or attitudes in the Continental Congress toward the West, since the key to much that was said and done by Congress after 1789 is to be found in what was said and done in the preceding period. Of course such a study presents a more difficult problem, since there are but scant records of debates in the Old Congress.

A book upon a fruitful theme, *The Story of a Century: a Brief Historical Sketch and Exposition of the Religious Movement inaugurated by Thomas and Alexander Campbell, 1809-1909*, has been brought out in St. Louis by the Christian Publishing Company. The author is J. H. Garrison.

Dr. Charles O. Paullin's *Commodore John Rodgers, Captain, Commodore, and Senior Officer of the American Navy, 1773-1838*, has appeared from the press of Arthur H. Clark Company.

The *Life of Commodore Thomas Macdonough, U. S. N.* (Boston, Fort Hill Press, 1909) by his grandson, Mr. Rodney Macdonough, is based on authentic public and private records and, as is appropriate, treats with especial fullness the action off Plattsburg.

The biography of Henry Clay, the preparation of which was begun by Thomas Hart Clay and after his death taken up by Dr. Ellis P. Oberholtzer, is announced for immediate publication by George W. Jacobs and Company in the series of *American Crisis Biographies*. It is understood that considerable material not hitherto available has been used.

Another volume of Motley's correspondence is announced by John Lane, *John Lothrop Motley and his Family: Further Letters and Records*. It will contain material considered too intimate or recent to be published in the earlier collection.

The Sturgis and Walton Company announce for early publication a *History of the Confederate War*, by George Cary Eggleston.

An important subject to which, in spite of the enormous volume of publication on the military history of the Civil War, too little attention has been paid, is elaborately considered in *Social and Political Conditions of the North during the Civil War* (Macmillan), by Mr. E. D. Fite of Yale University.

E. P. Dutton and Company have published *Life and Memoirs of Comte Régis de Trobriand, Major-General U. S. A.*, by his daughter, Mrs. Marie Caroline de Trobriand Post.

The *Life and Letters of General W. H. L. Wallace*, by Isabel Wallace, has been published in Chicago by R. R. Donnelley and Sons Company.

History and Law of the Hayes-Tilden Contest before the Electoral Commission: the Florida Case, 1876-1877, by E. W. R. Ewing, has been published in Washington by the Cobden Publishing Company.

A life of former Senator Orville H. Platt, bearing the title *An Old Fashioned Senator*, is from the pen of Louis A. Coolidge and the press of G. P. Putnam's Sons.

Life of Garret Augustus Hobart, Twenty-fourth Vice-President of the United States, by Rev. David Magie, is from the press of G. P. Putnam's Sons.

James Parker, who was counsel for Rear-Admiral Schley before the court of inquiry in 1903, has prepared a volume to which he has given the title: *Rear-Admirals Schley, Sampson, and Cervera: a Review of the Naval Campaign of 1898 in Pursuit and Destruction of the Spanish Fleet commanded by Rear-Admiral Pascual Cervera*. The book has been published in Washington by Neale.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

In the January issue of the *New England Historical and Genealogical Register* appears a "Bibliography of Lists of New England Soldiers", by Mary Ellen Barker. The period covered is from the French and Indian War to the war with Spain.

The Maine state printers, Messrs. Burleigh and Flynt of Augusta, have in press *Maine at Louisburg in 1745*, a work prepared by the state historian, Rev. Dr. Henry S. Burrage. Besides preparing an account of Maine's part in the expedition (the district contributed one-third of Pepperrell's force), he has brought together from various sources about seven hundred names of Maine soldiers, mostly of the two York County regiments, who had a part in the capture of Louisburg in 1745.

The Maine Historical Society published in February volume XIV. of its series entitled *Documentary History of the State of Maine*, being the ninth volume of the *Baxter Manuscripts*.

"Stark's Independent Command at Bennington", by Professor Herbert D. Foster, with the collaboration of T. W. Streeter, is concluded in the October-November issue of the *Granite State Magazine*. In the December number of the *Magazine* is an article by Gabriel Farrell, jr., entitled "Captain Samuel Morey, who built a Steamboat Fourteen Years before Fulton". The biographical sketch of General Joseph Cilley, by John Scales, is continued.

Part II., volume IV., of the *Manchester Historic Association Collections* contains considerable material relating to General Stark: "The Battle of Bennington", by W. O. Stillman; "Stark's Independent Command at Bennington", by H. D. Foster and T. W. Streeter; a "Reminiscence of General Stark" from the diary of James Randall; and "General John Stark", by R. R. Law.

An interesting contribution to the history of early railroading, entitled "The Newburyport and Danvers Railroads", by H. F. Long, is found in the January issue of the *Essex Institute Historical Collections*. In the same issue is "Marblehead in the Year 1700, No. I.", by Sidney Perley.

The Rhode Island Historical Society has come into possession, through a bequest of the late Mrs. Henry G. Russell, of a body of papers relating to the Huguenot immigrant, Gabriel Bernon, chiefly of the period 1685-1735. The papers have in part been calendared as have also the papers relating to Barrington, presented to the society some time ago by Mr. T. W. Bicknell.

In addition to the family correspondence noted in a previous issue of the REVIEW, the Connecticut Historical Society has recently received about sixty Huntington family letters and documents all dated in the year 1776.

Education Department Bulletin No. 462 (Bibliography 46), published by the New York State Library, is a report of twenty-eight pages by Mr. A. J. F. van Laer, archivist of the state, on the translation and publication of the manuscript Dutch records of New Netherland. After an account of previous attempts at translation, alternative recommendations are made with respect to the various forms in which these valuable documents, properly translated, might be placed at the service of scholars.

Recent publications of the Historical Society of Hudson County (New Jersey) are *Hudson County: its Water Front Developments* (pp. 56), by John C. Payne; and *Colonial Land Conflicts in New Jersey* (pp. 26), by Edgar J. Fisher.

The *Pennsylvania Magazine of History and Biography* prints in its January issue an interesting series of letters from Dr. John McKinly, first president of Delaware, written to his wife while he was a prisoner of war, 1777-1778, and a group of letters from Robert Proud, the historian. The letters, written from Philadelphia in 1777 and 1778 to his brothers in England, contain comments on conditions in Philadelphia during the British occupation. The valuable series of letters from Thomas Wharton is concluded in this issue, and the orderly book of General J. P. G. Muhlenberg is continued. "East Vincent Township, Chester County, Pennsylvania", is a contribution made by Frederick Sheeder to the Historical Society of Pennsylvania in 1845.

The Journal of the Friends' Historical Society (London) for November contains a letter of some length by a Pennsylvania pioneer, Thomas Ellis, written in 1685.

Volume II., no. 3, of the *Publications of the Historical Society of Schuylkill County (Pennsylvania)* contains "A Documentary History of the Old Red (Zion) Church in West Brunswick Township", translated and edited by Rev. H. A. Weller; and "Schuylkill County during the French and Indian War, 1754-1763", by W. H. Newell. No. 4 of the same volume includes "My Experiences while a Prisoner of War", by Livingstone Taylor.

Mr. John K. Lacock of Amity, Pennsylvania, who has the most expert knowledge of Braddock's route, has prepared from photographs, and publishes, two attractive and interesting series of post-cards of Braddock's Road and of the Cumberland Road, each series embracing about fifty cards, with letter-press explanations.

The Maryland Historical Society has recently acquired a copy of the manuscript Reminiscences of the famous Rev. Jonathan Boucher, sometime rector of St. Anne's Church, Annapolis, dated 1789 (pp. 186), and copies of sixty-seven letters from his correspondence between 1759 and 1802, very few of which have been printed; also five volumes of the historical and genealogical manuscripts of the late Judge Henry H. Goldsborough, and copies of a number of unpublished Maryland and other Stamp Act documents, 1764-1771, from the uncalendared papers of the British Treasury.

The *Maryland Historical Magazine* presents in its December issue much documentary material of value. There is a group of letters from Jackson to Taney (1833 to 1842) relating largely to the Bank of the United States, and another group of letters relating to the French and Indian War. The latter were addressed to Governor Sharpe by General Braddock, Governor Shirley, Sir William Johnson, and Richard Peters. Dr. Bernard C. Steiner contributes James McHenry's recently discovered speech before the House of Delegates in 1787, on the work of the Federal Convention. The issue includes some papers relating to the grievances of the Maryland line, drawn from the Gist papers in the society's possession, and Colonel John Eager Howard's account of the battle of Germantown, printed from the autograph copy in the Library of Harvard University. The "Capture of Indianola" is a paper read before the Maryland Historical Society in 1897 by Rev. W. F. Brand, and the "Siege and Capture of Havana in 1762", a paper read before the society in 1899.

The Department of Archives and History in the Virginia State Library recently received a considerable accession of manuscript reports of contested elections to the Virginia legislature, 1830-1850, including the depositions taken and other papers. The annual report of the

librarian, Dr. H. R. McIlwaine, includes special reports of the Department of Archives and History and of the Division of Bibliography. The former consists of an excellent and thorough monograph by H. J. Eckenrode, the archivist, "Separation of Church and State in Virginia", and the latter of the second part of "A Trial Bibliography of Colonial Virginia", prepared by William Clayton-Torrence, the bibliographer.

G. P. Putnam's Sons expect to publish soon *The Institutional History of Virginia in the Seventeenth Century*, by Dr. Philip A. Bruce. It is understood that Dr. Bruce has made large use not only of records in Virginia but also of those found in various British archives.

The most considerable and important item from the Randolph Manuscript printed in the January issue of the *Virginia Magazine of History and Biography* is the record of the case of Governor Herbert Jeffreys against Colonel Philip Ludwell in the General Court of Virginia, December, 1677. Among the "Virginia Legislative Papers" printed in this issue are the Resolutions of the Virginia Convention, May 31, 1776, in regard to Governor Eden of Maryland; the address of a committee of the Pennsylvania Convention to the Virginia delegates in Congress in regard to the boundary line between the two states; Patrick Henry's and Meriwether Smith's drafts of resolutions in favor of independence; and two petitions relating to the question of religious liberty. Among the other documents is a letter of Thomas Jefferson, November 4, 1779, relative to the Virginia military forces, a letter of William Henry Harrison, October 27, 1836, relating to politics, also a letter by Mr. Charles Francis Adams concerning Virginia's position in February, 1861.

The January number of the *William and Mary College Quarterly Historical Magazine* opens with part I. of an enlightening though somewhat controversial paper entitled "The Leadership of Virginia in the War of the Revolution". Two letters of John Tyler to Daniel Webster, May 22, 1843, and November 6, 1851, are also printed in this issue.

William Fitzhugh Gordon, a Virginian of the Old School: his Life, Times, and Contemporaries, 1787-1858, by A. C. Gordon, is from the press of the Neale Publishing Company.

In the eighth series of *Historical Papers*, published by the Historical Society of Trinity College, Durham, N. C., edited by Professor W. K. Boyd, the most interesting contributions are three letters of Nathaniel Macon, 1819 and 1825; a selection from the autobiography of Rev. Brantley York, relating to "early days in Randolph County and Union Institute"; and a long account, with documents, by the late Rev. L. S. Burkhead, of the "Difficulties of the Pastorate of the Front Street Methodist Church, Wilmington, N. C., for the year 1865", which is of interest for its bearing on an important phase of Reconstruction, the separation of the races in religious organizations.

Mr. Henry A. M. Smith contributes to the October number of the *South Carolina Historical and Genealogical Magazine* an account, including considerable documentary material, of the founding of the town of Purrysburgh in South Carolina. The town was founded by Jean Pierre Purry of Neufchâtel, Switzerland, almost contemporaneously with the establishment of the colony of Georgia, and the life of Purrysburgh seems eventually to have been sapped by Savannah. The "Abstracts from the Records of the Court of Ordinary of the Province of South Carolina, 1692-1700", contributed by A. S. Salley, Jr., are continued.

Georgia in the War, 1861-1865 (pp. 167), by C. E. Jones, has been brought out in Augusta by the author.

A map of Mobile, of date a little before 1711, when the fort was at Twenty-seven Mile Bluff, has lately been discovered in the French archives and will appear in the new edition of Mr. Peter J. Hamilton's *Colonial Mobile*. The map gives full details, and attaches the names of the settlers to their lots.

Louisiana, a cyclopaedic publication in two volumes, edited by Professor Alcée Fortier, has been published by Selwyn A. Brant, Madison, Wisconsin.

Mr. John Thomas Lee, in a pamphlet entitled *A Bibliography of Carver's Travels* (Madison, pp. 143-183), separately printed from the *Proceedings of the State Historical Society of Wisconsin* for 1909, shows reasons for questioning the opinion that Jonathan Carver was incapable of writing the famous *Travels*, as maintained by the late Professor Edward G. Bourne in a former issue of this journal (XI. 287-302).

Document no. 11 of the National Waterways Commission (Washington, Government Printing Office, 1909, pp. 70) is a *Traffic History of the Mississippi River System*, by Professor Frank H. Dixon of Dartmouth College.

The *Ohio Archaeological and Historical Quarterly* devotes seventy-five pages of the October number to a synopsis of the sessions of the Ohio Valley Historical Association in November, 1908, and to printing in full several of the papers presented at that meeting. As mentioned in the January number of the REVIEW, these proceedings have already been published in full. Among the other contents of this issue of the *Quarterly* are "The Development of the Miami Country", by Frank P. Goodwin; "The Siege of Fort Meigs", by Earl A. Saliers; and "The Indian as a Diplomatic Factor in the History of the Old Northwest", by Professor I. J. Cox.

The *Quarterly Publication of the Historical and Philosophical Society of Ohio*, vol. IV., no. 3 (the July-September issue), comprises the

fifth installment of the Torrence papers, carefully edited by Mr. I. J. Cox. The letters, mostly addressed to James Findlay, are written from Washington, New Orleans, Natchez, and elsewhere, and give numerous side-lights upon prominent characters, but especially upon the transfer of Louisiana and the Burr conspiracy.

The *Indiana Quarterly Magazine of History* prints in the December issue some letters from eighteenth-century Indiana merchants. These letters, the first of which was written in 1738 and the last in 1798, are from the Lasselle collection in the Indiana State Library. They are edited by C. B. Coleman. Under the caption "Political Letters of the Post-Bellum Days", Mr. Duane Mowry presents some selections from the correspondence of James R. Doolittle with Thomas A. Hendricks. "Internal Improvements in Indiana, 1818-1846", is a paper by Margaret Duden.

Mr. Clarence M. Burton of Detroit and Mr. Alexander H. Fraser, provincial archivist of Ontario, have found at Toronto the records of the old court that was held at Detroit previous to the exodus in 1796.

What the Dutch have done in the West of the United States (Philadelphia, privately printed, 1909), by George Ford Huizinga, is a little brochure of some fifty pages, being the essay to which was awarded a prize offered by Edward Bok to the students and alumni of Hope College, Holland, Michigan, for the best writing on the subject. The author deals with the immigration in 1846 of the little colony of secessionists under Pastor van Raalte which settled in Holland, Michigan, and with later migrations, and sketches briefly the history of subsequent Dutch settlements and emigrants in the West.

It is encouraging to note that the Kentucky State Historical Society has planned the publication of available executive correspondence of the state. This work is in charge of Mr. W. W. Longmoor, who presents in the January number of the *Register* some letters of Governor Isaac Shelby, 1812. This issue of the *Register* prints the paper of John W. Townsend, "Kentucky, Mother of Governors", read before the Ohio Valley Historical Association at its meeting in Frankfort in October. The "History of Harrodsburg", by W. W. Stephenson, is concluded, and the "History of Franklin County", by L. F. Johnson, is continued.

Mr. Joab Spencer's account of "Missouri's Aboriginal Inhabitants" is concluded in the October number of the *Missouri Historical Review*. The January number contains an initial paper on the "History of the County Press of Missouri", by Minnie Organ; the first part of an address on Colonel Robert Van Horn, by J. M. Greenwood; and a reprint from the *Missouri Intelligencer* of the journals of some expeditions made by Captain Thomas Becknell in the early twenties from Boone's Lick to Santa Fé and from Santa Cruz to Green River. W. S. Bryan's papers on Daniel Boone are continued.

"The Part of Iowa Men in the Organization of Nebraska", by Horace E. Deemer, printed in the *Annals of Iowa* for October, is a paper of somewhat broader scope than its title would indicate. Professor F. I. Herriott continues his valuable studies which have been appearing under the caption "Iowa and the First Nomination of Abraham Lincoln". The present paper deals with the preliminaries of 1859.

The first issue of the *Utah Genealogical and Historical Magazine*, published by the Genealogical Society of Utah, appeared in January. Of historical interest among its contents should be noted the proclamation of November 15, 1778, by T. de Croix, captain-general of the interior provinces of New Spain, establishing the settlements of Santa Cruz, Namiquipa, San Antonio, Santiago, and San Juan Nepomuceno.

The *Proceedings of the Fiftieth Anniversary of the Admission of the State of Oregon to the Union*, celebrated at Salem on February 15, 1909 (Salem, State Printer, pp. 53), contains valuable historical addresses by Mr. Frederick N. Judson and Hon. George H. Williams, and a reprint of Mr. Franklin P. Rice's article on "Eli Thayer and the Admission of Oregon".

The articles in the *Quarterly of the Oregon Historical Society* for September are "De Smet in the Oregon Country", by Edwin V. O'Hara, and "The Financial History of the State of Oregon", I., by F. G. Young. Of a documentary sort is the journal of John Work, edited by T. C. Elliott. John Work was an agent of the Hudson's Bay Company, and the journal describes a journey from Fort Colville to Fort Vancouver, April 30 to May 31, 1830.

The Cradle of New France (Longmans), by Dr. A. G. Doughty, is a history of Quebec with considerable descriptive material.

A new volume by Miss Agnes C. Laut, *Canada, the Empire of the North: being the Romantic Story of the New Dominion's Growth from Colony to Kingdom*, has been published by Ginn and Company.

Porfirio Diaz, President of Mexico, by Señor José F. Godoy, for many years connected with the Mexican embassy at Washington and now Mexican minister to Cuba, has just appeared from the press of Messrs. Putnam. The volume includes appreciations from other notable men.

We have received from Mr. Carlos Pereyra his *Historia del Pueblo Mexicano* (Mexico, J. Ballesca and Company, pp. 196; 230), two little illustrated volumes intended as a school text-book, with especial attention to the history of civilization in Mexico. Except for passing over with extreme brevity the period from Philip II. to Charles III., they seem to us models of clearness, intelligence, and good sense. The earlier period is treated more fully in a book of similar size, called *Lecturas Históricas Mejicanas: La Conquista del Anáhuac*.

Students of South American history will be interested in the announcement by John Lane (London) of a forthcoming biography of Simon Bolivar, by F. Loraine Petre.

The second volume of the results of the South American expedition of G. de Créqui-Montfort and E. Sénéchal de la Grange has just appeared: *Antiquités de la Région Andine de la République Argentine et du Désert d'Atacama*, by Éric Boman (Paris, H. Le Soudier).

Noteworthy articles in periodicals: I. Lippincott, *Industry among the French in the Illinois Country* (Journal of Political Economy, February); T. W. Balch, *La Question des Pêcheries de l'Atlantique: Un Différend entre les États-Unis et l'Empire Britannique* (Revue de Droit International, vol. XI, nos. 4, 5); C. O. Paullin, *Duelling in the Old Navy* (United States Naval Institute Proceedings, December); Brigadier-General H. L. Abbott, U. S. A., *Types and Traditions of the Old Army; San Francisco in 1855* (Journal of the Military Service Institution, January–February); Morris Schaff, *The Battle of the Wilderness*, VIII., IX., X. (Atlantic Monthly, January, February, March); Gideon Welles, *A Diary of the Reconstruction Period*, I., II. (*ibid.*, February, March); Charles J. Bonaparte, *Experiences of a Cabinet Officer under Roosevelt* (Century, March); H. A. Richards, *A Study of New England Mortality* (Quarterly Publications of the American Statistical Association, December).

